

Braille Monitor



APRIL, 1982

VOICE OF THE NATIONAL FEDERATION OF THE BLIND

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THE BRAILLE MONITOR

PUBLICATION OF THE
NATIONAL FEDERATION OF THE BLIND

APRIL 1982

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THE BRAILLE MONITOR

PUBLISHED MONTHLY IN INKPRINT, BRAILLE, AND ON TALKING BOOK DISCS BY
THE NATIONAL FEDERATION OF THE BLIND

KENNETH JERNIGAN, *President*

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1800 JOHNSON STREET
BALTIMORE, MARYLAND 21230

LETTERS FOR THE PRESIDENT, ADDRESS CHANGES,
SUBSCRIPTION REQUESTS, AND ORDERS FOR NFB LITERATURE,
ARTICLES FOR THE MONITOR AND LETTERS TO THE EDITOR
SHOULD BE SENT TO THE NATIONAL OFFICE

* * *

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NATIONAL FEDERATION OF THE BLIND
BOX 11185
KANSAS CITY, KANSAS 66111

* * *

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* * *

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SPEAKING FOR THE BLIND—IT IS THE BLIND SPEAKING FOR THEMSELVES

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AMERICAN PRINTING HOUSE FOR THE BLIND STILL UNRESPONSIVE

The following correspondence and reports speak for themselves. They demonstrate the continuing problem we have with far too many of the agencies, and they underline the unceasing vigil which the blind must maintain. We certainly cannot depend upon such groups as the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC) to insure quality services for the blind. If the job is to be done—that is, if high standards are to be met and if the agencies are to be brought up to the line and held to accountability, we are the ones who must do it. Otherwise, it will not be done:

Louisville, Kentucky
January 26, 1982

Dear Dr. Jernigan:

Enclosed is some material for the *Braille Monitor* so readers can know what is not happening concerning the American Printing House for the Blind. We in Kentucky feel that perhaps you might like to see if you can stir them up.

You will recall that Dr. Nolan promised a meeting with leadership of the blind movement and Bureau personnel. Although such a meeting was supposed to take place last February or March, nothing more has been said about it. APH seems to be ignoring the whole thing at this point.

Cordially,
Betty Niceley

PRINTING HOUSE UPDATE

The American Printing House for the Blind is the oldest and largest facility of its kind in the world. For one hundred twenty-four years, it has stood, unchallenged, as a symbol of service to the blind. Let us take a closer look at this exalted status enjoyed by APH. Is it truly merited?

The Printing House receives both Federal grants and contracts to provide materials for the blind and visually impaired. Each year, a trusting public contributes thousands of dollars to APH for the purpose of benefiting the blind. No doubt, our Federal Government and the general public believe that the Printing House is meeting the needs of blind people by supplying both materials and employment. Why does the word "tokenism" come to mind at this point?

Monitor readers will recall that a resolution concerning APH was passed by Kentucky Federationists at their 1980 convention. The following months revealed that Printing House management neither understands nor responds to the legal, ethical and moral issues which face them. Consequently, an even stronger resolution was passed at the 1981 convention. All Federationists should study the attached resolution and the covering letter to Dr. Carson Y. Nolan (which he never acknowledged). Also, take a look at the attached report from T. V. Cranmer, who evaluated a possible job at APH for a blind rehab client. Dr. Nolan

never acknowledged having received this report, and the job was not assigned to a blind individual. The following documents speak for themselves. Perhaps new barricades are forming. If so, we shall meet there.

REPORT

Quality Control Position

at

American Printing House for the Blind

Mr. Taylor Davidson and I were recently asked to provide technical consultation and instrumentation which would enable a blind individual to fulfill the requirements of a quality control position in the Talking Book Department at the American Printing House for the Blind in Louisville.

Mrs. Lauri Holder, who initiated the contact with APH, mentioned specific problems of electrical and mechanical measurements which had been identified as possible barriers to the employment of a blind quality control worker.

On July 20, 1981, Mr. Davidson and I met with Polly Stevens, Bob Phelps, and Frank Hayden at the Quality Control Work Station. Each of the electrical and mechanical measurements required were discussed along with practical solutions based on appropriate meters and mechanical measuring devices with speech output.

Mr. Phelps indicated that "visual inspection" of the open-reel tapes as supplied by the manufacturers was an important element of the APH program of quality control. He indicated that these procedures were followed in response to rigid specifications imposed by the Library of Congress. Our meeting was discontinued without resolving the question of "visual inspection," although we did request a copy of

the Library of Congress' specifications.

At the time of our meeting, representatives of the Bureau for the Blind were perplexed by the alleged importance of unpacking open-reel tapes for the purpose of visual inspection of the color and uniformity of the oxide coatings. We felt that it was unlikely that the coatings could be visually inspected throughout the length of the tape and that visual examination of a few inches near one end of the tape could scarcely have any importance. Furthermore, it seemed impossible to accept that the electrical or acoustical properties of this media could be gleaned through visual observations.

We have read through the Library of Congress' specifications which were forwarded by Polly Stevens. We are unable to find any specification based on appearance. All of the specifications could be met or exceeded by means of physical, electrical and acoustical measurements of the recordings.

It is our conclusion that "visual inspection" is superfluous to the task.

Submitted by:

T. V. Cranmer, Administrator
Technical Services Unit
Bureau for the Blind

Louisville, Kentucky

October 19, 1981

Dear Dr. Nolan:

Attached is a copy of a resolution passed by the National Federation of the Blind of Kentucky at their recent convention in Owensboro. You will recall that a similar resolution was passed by Kentucky Federationists in September, 1980.

During the past year, there have been

meetings and correspondence with the Printing House by Federationists and personnel in the Bureau for the Blind. None of these have been productive. Attempts to place blind employees at APH have been thwarted. Promises to meet with leaders of the organized blind and Bureau placement specialists have not been kept.

On paper, the American Printing House for the Blind has an adequate Affirmative Action Plan but does not conform to its guidelines. Notices concerning available jobs at the Printing House were not sent to the Bureau until such action was requested at a meeting on August 11, 1981. Only minimum wage positions have been offered to blind people, regardless of the amount of their training or education.

It has become obvious that APH has made no provision for supplying proper technology to meet the demands of the computer age. Even worse has been the demonstration of total lack of understanding and the desire to breach this ever increasing gap. When assistance in this area was offered, the Printing House saw no need for it.

Recent tokenisms of cooperation have shown clearly the complete unawareness of the needs of the blind on the part of APH administration. Calling a meeting of the blind workers there to discuss jobs won't help. They are familiar only with the proofreading section. Asking a retired blind man with no technical knowledge to assist an inexperienced staff member in evaluating possible blind people won't help either—although it would be interesting to see this report.

The developments of this past year, as outlined in this letter, have prompted our organization to pass an even stronger resolution and seek to focus national atten-

tion on the situation.

Sincerely yours,
Betty Niceley, President
National Federation of the
Blind of Kentucky, Inc.

RESOLUTION 81-1

WHEREAS, the American Printing House for the Blind is the largest single publishing house and manufacturer of materials used by blind people; and,

WHEREAS, the American Printing House employs over 600 persons; and,

WHEREAS, the American Printing House obtains its funds through Congressional appropriation and donations from the public because of its work for the blind and the public's willingness to contribute to such work; and,

WHEREAS, blind people are employed only to do those jobs traditionally associated with blind people such as the reading of Braille, the proofreading of Talking Book records, etc., and other miscellaneous tasks; and,

WHEREAS, the National Federation of the Blind of Kentucky in a 1980 resolution called upon the American Printing House for the Blind to take affirmative steps to employ a greater number of blind individuals and to employ them in all aspects of work performed at the American Printing House including clerical, professional, and administrative positions; and,

WHEREAS, the American Printing House has demonstrated unwillingness to take such affirmative steps; and,

WHEREAS, the American Printing

House for the Blind because of its unique position in work for the blind should be a show place for the employment of blind people in Kentucky, the United States and the world; and.

WHEREAS, the fact that only four percent of the work force at the American Printing House is made up of blind individuals is not consistent with this goal; and.

WHEREAS, the American Printing House for the Blind has violated both a moral obligation to the blind as well as the general public who supports its work for the blind and its legal obligation under Sections 501-504 of the Rehabilitation Act of 1973 to take affirmative steps to employ blind and other handicapped individuals;

NOW THEREFORE BE IT RESOLVED

by the National Federation of the Blind of Kentucky in convention assembled at Owensboro, Kentucky, this twelfth day of September, 1981, that the National Federation of the Blind of Kentucky will take affirmative steps to insure that the American Printing House for the Blind does become a show place for the employment of the blind and that it come into compliance with state and federal regulations for the employment of blind individuals, and that copies of this resolution be sent to the Vice President and General Manager of the American Printing House for the Blind, the Board of Trustees of the American Printing House for the Blind, all members of the Congress of the United States, the Library of Congress, and the press.

GUIDANCE FOR GUIDEPOSTS

TALKING ABOUT FUNDRAISING

Jimmy Nelson is a long-time member of the National Federation of the Blind. He lives in the state of Virginia, takes his responsibilities as a Federationist and a Christian seriously, and speaks his mind when he thinks the circumstances indicate. Recently the circumstances did indicate—at least, that is how Jimmy saw it.

Guideposts is a magazine which quite a number of blind people throughout the country read. It contains articles of a religious and inspirational nature. Generally it seems to enjoy a reasonably good reputation among its readers.

However, from time to time the magazine either prints something (see *Braille Monitors* for April and December, 1980) or does

something which causes many blind people a negative reaction. The subject of the present article is just such an occurrence.

Under date of November 13, 1981, *Guideposts* sent out a fundraising letter. The letter disturbed and angered many blind people, among them Jimmy Nelson. The implications of the letter and of Jimmy's response to it have broader significance than the particular incident. It is the old and the new in confrontation. It is a new awareness of self-worth and personal responsibility on the part of the blind. First we reprint the *Guideposts* fundraising letter, and we follow it with Jimmy Nelson's response:

B. F. Lawley, Jr., Director
Outreach Ministries
Guideposts
Carmel, New York 10512

November 13, 1981

Dear Outreach Partner:

Her name is Sarah. And she lives in darkness.

Yet next week—because of *you* and other Outreach Partners—Sarah will “see” again in a very special way!

Please let me tell you how it will happen.

The day will probably be a Wednesday. And except for one special event, it will be almost like any other day.

Her sister will make breakfast, then go to work. Sarah will sit alone and wait for the mailman.

“He comes around 11:00 a.m.,” she will remind herself, and she’ll wait to hear his footsteps on the front porch.

Then she’ll quickly move down the corridor.

For the blind, mail is rarely something to look forward to—but not for Sarah—not on this special day.

She will gather up the letters and magazines and her fingers will nimbly search for something.

And then they will touch it—the great *big envelope*!

It will be the envelope that holds her Braille edition of *Guideposts*. She knows its large size, its shape—everything about it.

She hasn’t forgotten it comes this time of the month. And a month is such a long time to wait when you are blind and very much alone. But it’s worth the wait.

Hastily her fingers will untie the string and eagerly take her Braille *Guideposts* out of the envelope.

Today she won’t have to wait for her sister to return home to read to her. For

Sarah has been “reading” *Guideposts* in Braille for more than 20 years—in fact, it’s always been like a group of friends dropping in each month.

And that’s been one of the true joys in her dark world.

Now she’ll move more rapidly back through the corridor clutching her *Guideposts*. She’ll make her way to the small living room, and to the rocker which has been her special companion for so many years.

She’ll sit down. And with loving, expectant fingers, she’ll open the magazine . . . and “read” it.

It will be at least an hour before her fingers will stop traveling across the Braille characters in her *Guideposts*. Then she’ll make some tea, and perhaps a sandwich.

And what a wonderful lunch it will be! Because for the past hour she’ll have been visited by new friends and inspired by their heartwarming stories.

And after lunch she’ll go right back and finish this issue. And in the days before the next month’s issue she’ll reread it several times.

During those magic hours she will be no longer blind. She will have sensed the beauty God has placed before her. She will have felt the joy that comes from love shared—coming alive from the pages; to sit right here, with her, in her small living room!

That night she will finally do what she has so often thought of doing. She will have her sister help her write a letter telling us what the Braille *Guideposts* has meant to her:

“Words cannot express the joy and glowing inspiration and comfort I have gleaned from the precious *Guideposts* . . . I have been sightless all my life, *but my soul sees!*”

We must share this with you because it is you who make her joy possible.

Each time you send a gift to *Guideposts*, you're doing much more than just sending a magazine—

You're touching someone's inner life! In fact, last year you helped touch the lives of more than 170,000 of your sightless and visually handicapped neighbors.

For that's how many received *Guideposts* in the Braille, Talking Book and Big Print editions in 1980.

But this year is even more important—for 1981 has been designated "The Year of the Handicapped." And we're trying to reach as many of the 11 million blind and visually handicapped Americans as we possibly can.

Yet with paper, printing and postage costs rising more rapidly than our nation's inflation rate, we're going to be hard pressed to guarantee the monthly mailings to those like Sarah.

That's what makes you more important, to us and to the *Guideposts* Outreach Ministry.

So, as you think about your special *Guideposts* gift now, think for a moment about Sarah and about what *Guideposts* means to her and those like her. Then think what it would mean for them to wait each lonely day for your gift of inspiration—that might not ever come again! How tragic!

So then, please help us protect *Guideposts* for Sarah—and for all the others—by enclosing your generous Outreach gift and your special gift form in the postage-free envelope I've included for your convenience.

Because through your gift, they will truly "see"!

That's why, for the Sarahs and others served by *Guideposts* Outreach Ministries, we thank you in advance. You will always

be in our special prayers.

God bless you,
B. F. "Chuck" Lawley, Jr.
Director, Outreach Ministries

P.S. This year, your gift of \$15.72 will provide an entire year of the special Braille edition for those like Sarah. Please help her "see."

Just run your fingers over the sample Braille swatch I have enclosed. I'd like you to know how Sarah and other blind people "read" *Guideposts* and are re-filled with inspiration with each issue you help send.

Richmond, Virginia
January 8, 1982

Mr. Wendell Forbes
Deputy Publisher of *Guideposts*
Carmel, New York

Dear Mr. Forbes:

My wife and I are both blind and are recipients of the Braille edition of *Guideposts*. She is a cover-to-cover reader, and I an occasional reader, preferring more doctrinally-centered material. Both of us recognize the benefit derived from reading *Guideposts*, and my wife thinks it is the most spiritually uplifting magazine in existence, presenting real-life accounts of victorious living through faith in Jesus Christ. However, something has been done in the name of *Guideposts*, but outside of its pages, that is totally unethical and unprofessional and indeed, we think, truly Unchristian that has harmed every blind person living anywhere in the world. We want you to know in a most emphatic way that

we are deeply offended by what has occurred and that we view it in a most serious manner.

I refer to the letter dated November 13, 1981, and sent out under the signature of Mr. B. F. Lawley, Jr., Director of Outreach Ministries for *Guideposts*, for the purpose of raising funds for the Braille, Talking Book, and large-print editions read by the blind and visually handicapped. I believe there is a proper place for respectable fund-raising to help in offsetting the great expense of producing reading materials for the blind, and this is not unusual; but what is unusual is the grossly tactless, insensitive, untruthful, and incalculably damaging character of the *Guideposts* letter to all blind people. It draws upon a multitude of commonly-held stereotypes, myths, misconceptions, and fallacies relative to the blind, and is, I think, deliberately misleading in some of its implications. Simply stated, the letter is cheap and dirty and surely breaks most rules of propriety in the solicitation of funds.

The letter begins by saying: "Her name is Sarah, and she lives in darkness. Yet, next week, because of you and other outreach partners, Sarah will see again in a very special way." The event to take place next week is the mailman bringing *Guideposts* to Sarah. Here we have the old misconception and myth that the blind live in darkness—just like a sighted person in a room without illumination or stepping out into the black night. I have been totally blind since infancy and have not once experienced the sensation of darkness. To put it plainly, my hands or any other part of my anatomy have as much power to sense the stygian darkness to which you refer as my eyes—and that is exactly zero. Yet, the notion, false as it is, elicits sympathy and perhaps brings in money. No, Sarah, if she is blind now, will not see next

week when *Guideposts* comes. She may gain information and inspiration, but she will not see. It sounds so very reasonable—and you have helped the sighted public to believe this—that the abiding and overpowering desire of the blind is just to be able to see. Most blind people of my acquaintance think very little about seeing and find the greatest hindrance to a normal and happy and productive life in the perpetuation of these stereotypes and misunderstandings.

The letter goes on: "Sarah will sit alone and wait for the mailman. For the blind, mail is rarely something to look forward to, but not for Sarah, not on this special day." Yes, I have heard of many of the old myths and misconceptions, but here is something that I have not come across before—that "for the blind, mail is something rarely to look forward to." To me, going to the mailbox is like having Christmas every day; and I believe this categorical assertion in the *Guideposts* letter to be nothing short of an out-and-out lie. Where is the documentation to support such a statement? But to say it, perhaps would make the blind seem all the more pitiable and this would of course bring in more money—no matter how much harm is sustained by the blind.

In the letter, there is a sickening portrayal of Sarah childishly rummaging through the mail, recognizing the familiar large envelope, nimbly loosening the string, and then clutching her precious *Guideposts* to her. But why not? After all, she's been sitting in her rocking chair, as the letter mentions, her favorite companion, for the past month waiting for *Guideposts*, and, as the letter says, "a month is such a long time to wait when you are blind and very much alone." Then, speaking of the thrill of reading her *Guideposts*, we are brought back to an oft-repeated theme: "During those magic hours she will be no longer

blind. She will have sensed the beauty that God has placed before her.” I say again, Sarah will be as blind as before, but, as pictured in the *Guideposts* letter, she will be in a fantasy world, the world of escapism, vicariously living out her life in the experiences of others. But actually, the *Guideposts* letter wants the public to believe that this is the best you can expect of the blind. It engenders more pity, and that is obviously the objective of this sordid letter, for the reader is asked to think of Sarah and those like her when giving to *Guideposts*.

As the letter nears its conclusion, it takes on a tone of desperation: “Please help her see. Just run your fingers over the sample Braille swatch I have enclosed. I would like you to know how Sarah and other blind people read *Guideposts* and are refilled with inspiration with each issue you help send.” Here is another bizarre idea—just run your fingers over the Braille swatch and you’ll know how the blind read. Well, it took me years, and I do not know all about Braille. It makes about as much sense as telling a person to look at a piece of steel and immediately know how the steelworker produced it. But feeling a jumble of dots will arouse sympathy, and this is what the letter desires—irrespective of the inimical effect upon the blind population.

And of all odd twists, the *Guideposts* letter takes note of 1981 as the Year of the Handicapped and reinforces its appeal with this in mind. I have the idea that the Year of the Handicapped was to signal the progress of the handicapped and point to an even better future. The *Guideposts* letter would destroy the dignity of the blind and strengthen false concepts and make life more difficult for the blind. But why not, if sympathy and money-raising are the prime objectives?

I could wish that one had time to pre-

sent a thorough analysis of this incomparably gross letter, but I will make just a few additional observations. First, I think “Sarah” is just a *Guideposts* concoction because of the diabolical cleverness involved in this letter, employing so very many common stereotypes and false beliefs. But if not, with her permission, send me Sarah’s full name and address because I want to help her. After all, anyone who can read Braille for 20 years, can move quickly down the corridor to get her *Guideposts* and with great dexterity untie the string and remove the magazine from the envelope, and can return and prepare her lunch, can, with proper motivation and training, pass out the front door to visit her neighbors, go down the block to the store, hold a job, pin a diaper on a baby, and, yes, prepare a full-course meal. Wherever Sarah lives, there are members of the National Federation of the Blind who can love her in the right way and motivate her to do these progressive things, which are indeed not unusual or abnormal, contrary to the *Guideposts* letter. I want to put her in contact with the organization, of which I am a part, that has done so much for blind people everywhere. But, as I say, I think your Sarah is Mr. Lawley’s invention. Yet, it is acknowledged that many blind citizens live below their potential—and perhaps we all do—in large measure because they have been taught to think of themselves as the *Guideposts* letter describes, and this is truly regrettable. Many of the blind, who are fully trained and capable, have great difficulty in securing employment and participating in life fully because of the false and erroneous concepts you have helped to solidify.

There is something else very astounding. Readers of Mr. Lawley’s letter have been led to believe that *Guideposts* is the only literature available to the blind, since Sarah is portrayed as waiting with nothing to do

and nothing to read until that special time of the month when *Guideposts* comes. What abject nonsense this is. For a decade I have been a member of the Board of Directors of the Braille Circulating Library in Richmond, Virginia, which distributes sound Christian literature worldwide without charge. At this time there are approximately 9,000 titles in the library, and the figure goes up every day. Christian Fellowship for the Blind has some 400 books for loan, the Gospel Association for the Blind has scores and scores of books, and the secular libraries for the blind have numerous Christian books because of their general popular appeal. In addition, many magazines of inspirational nature are available to the blind besides *Guideposts*. Sarah may limit herself to just one magazine, but it is her own choice and represents her own very limited reading interests. But, of course, Sarah is Mr. Lawley's concoction.

I must mention, just to give one example of doing it right, the Braille Circulating Library, to which I referred earlier, sends out many appeals, but always of a dignifying nature, speaking of the ministers and Sunday school teachers and blind people in all walks of life who are benefited by the books in the library.

It is a sad shame and a terrible disgrace that *Guideposts* chose this course. There is absolutely no way you can undo the harm you have done the blind of the world; and how bizarre it is that an organization that purports to be Christian has done something that the Lord Jesus Christ would never sanction. In fact, He uttered His strongest words against the religionists of His day, who were insidiously destroying their fellow beings, while professing a godly concern. I fully accept the Bible teaching that those who know the Saviour are to be kind, tactful, and courteous; but I also have

the example of Jesus in not condoning wickedness that is perpetrated in the name of religion. I think you have committed a grievous wrong and that I would be deserving of the Lord's stern chastisement as a believer if I remained silent. While you cannot remove the harm that has been wrought, you can resolve now never to repeat such a damaging deed.

As I mentioned earlier, I believe this was deliberate and calculated on the part of *Guideposts*; but whether or not this conjecture is correct, in order to prevent a future similar occurrence, I want to make a suggestion and earnestly hope you will follow it. At any juncture in the future when you would engage in any kind of publicity or solicitation on behalf of the blind, consult with authoritative and knowledgeable people about the propriety of such. Dr. Kenneth Jernigan, President of the National Federation of the Blind and for 20 years director of the Iowa Commission for the Blind, has, I believe, done more to improve the lives of blind people than any person living today. Dr. Jernigan and members of his staff are superbly qualified and would be glad to consult with *Guideposts* about matters relative to the blind. Write to Dr. Kenneth Jernigan, President, National Federation of the Blind, 1800 Johnson Street, Baltimore, Maryland 21230, or call 301-659-9314.

I urgently request your early response to this letter. My words are hard because I think this situation to be a most serious one. I know that I speak for many other blind people when I express the hope that your present reaction and future deeds will be wholesome and positive.

Sincerely yours,
James F. Nelson

YOUR LIBRARY PROGRAM

by Judith Dixon

Head, Consumer Relations Section

National Library Service for the Blind and Physically Handicapped

Library of Congress

(Note from the President of the National Federation of the Blind: Federationists will remember that Mr. Frank Kurt Cylke, head of the National Library Service for the Blind and Physically Handicapped of the Library of Congress, appeared at our convention last summer in Baltimore. At that time it was agreed that the Federation and NLS would hold meetings from time to time during the year to discuss common problems. The first such meeting was held at NLS October 1, 1981. The discussions were varied and far-ranging.

I told Mr. Cylke that we would be pleased to consider an article from NLS for publication in the Braille Monitor. I did not limit the topic or place other restrictions.

I have now received the article, and as you will observe, it is written by Judith Dixon, who is head of the Consumer Relations Section at NLS. The article is fairly long, and some of it will be repetitious to Federationists who are knowledgeable concerning NLS. On the other hand, parts of the article (the information about the solar panel, as an example) may be new to most Monitor readers. In any case I wanted to let the Library tell its own story in its own way—no curtailment of length, no censorship, and no specification as to topic. Of course, under the circumstances it goes without saying that the views expressed are those of NLS and that their publication in this magazine does not indicate that we agree or disagree with what is being said.)

Today, patrons of the Library of Congress national reading program administered by the National Library Service for the Blind and Physically Handicapped (NLS) are served by nearly 160 libraries across the country. While the books, magazines, and playback equipment that are the heart of this fifty-year-old program are provided by NLS, these libraries, which are funded and administered by state and local governments, deliver services directly to patrons, with backup provided by NLS. The relationship between NLS and the network of libraries, mandated by the enabling legislation passed by Congress in 1931, is cooperative rather than hierarchical. The network includes regional libraries serving large geographical areas and local or subregional libraries established by some regionals to

bring service closer to their patrons. Responsibility for service is shared by regionals and their subregionals in various ways. Many patrons enjoy extra services and materials provided by their libraries, depending on local resources and in response to local patron needs. However, all patrons can call on their network libraries for basic services relevant to the national program including some that are not routine.

For example, have you ever needed an article in a back issue of *Consumer Reports* or another of the nearly seventy subscription magazines in the Library of Congress program? Your network library can obtain old issues for loan to you. Or, if you want a magazine that is not available in the national program, your library can check to see if it is produced by and available on

loan from another source. An easy way to find out which magazines are in the program is to check *Braille Book Review (BBR)* and *Talking Book Topics (TBT)*, which list Braille and recorded magazines respectively. Also, the bibliography *Magazines 1981*, produced in large print and on disc, describes and tells how to order program magazines and selected periodicals from other sources.

Would you like to read books in Spanish or other languages? Your network library can send you *Libros Parlantes*, a catalog of Spanish-language titles in the national collection. The Spanish-language collection includes Latin American classics and translations of bestsellers and other popular titles published in the United States. The number of books in Spanish and other foreign languages is being increased through an active exchange program with other countries and through original transcriptions. Your library can also arrange to borrow reading materials from foreign libraries on international interlibrary loan. In addition, a number of foreign-language program magazines are available through your network library.

Do you want to browse for books of interest to you? Your network library can supply older catalogs that are still available, some going back to 1972, and older bibliographies on popular subjects, such as bestsellers, science fiction, sports, and home management. New bibliographies and catalogs are mailed directly to patrons, who are given the opportunity to order them even before full production begins. Published annually or biennially in large-print and other special formats, three catalogs, *Cassette Books*, *Braille Books*, and *Talking Books Adult*, list cassette, Braille, and disc titles by subject respectively. A separate catalog, *For Younger Readers*, lists books in all formats for younger patrons. Brows-

ing for newly released books, of course, means checking *TBT* and *BBR*, which are offered to all patrons in the formats they prefer: both are produced in large print; *TBT* is also produced on flexible disc and *BBR* in Braille. Each issue of *BBR* in Braille also contains the concurrent *TBT* disc edition and Braille order forms for both *BBR* and *TBT*, the latter including short annotations.

Do you want to read a particular book or books on a particular subject? If you know the author or title, your library will check a computer-produced catalog on microfiche which lists the books available through the national program. This catalog lists all books mass-produced since the early 1960s and many produced by volunteers. Books are also listed by subject narrator, foreign language, book number, and books in process. For more complicated searches, such as finding the sequel to a known book, the library uses the Bibliographic Retrieval Service (BRS), a computer database containing the same information as the microfiche catalog but in a more accessible form. For example, in an online BRS search using its own terminal or through NLS, your library can identify books by a significant word in the title, date of publication of the print edition, length of the special-format edition, sex of the narrator, series, bestseller status, reading level, or Newbery award. It can combine elements to generate a list of books that meet a patron's specifications, such as works of fiction about the nineteenth century narrated by men, Braille books about animals for fourth grade readers, or recorded books about science published since 1978. It can even identify a book by a character's name if it appears in the annotation.

Your library's search may turn up an older book recorded at a faster speed.

Books with the order number prefix TB were recorded at 16 2/3 rpm; cassettes with the order number prefix CB were recorded in the earlier, standard commercial, 2-track, 1 7/8 ips format. Your present equipment will play these books as well as the cassettes, with an RC prefix, produced today at 15/16 ips on 4 tracks and both rigid and flexible discs, with an RD prefix, now produced at 8 1/3 rpm. The older books are less convenient to read because each cassette or disc plays for a shorter time.

Do you want to suggest types of books to be added to the national collection? If you talk to your librarian, suggestions can be passed on to an ad hoc committee of readers, consumer groups, including the National Federation of the Blind, and network librarians who advise NLS on building a balanced collection. Each year about 2,000 titles are selected for mass production and another 500 titles for production in more limited quantities by volunteers. Like those of public library patrons, the reading interests and levels of network patrons range from camping to Harlequin romances to metaphysics, from preschool books to works of professional interest. Books and magazines for the program are selected for their broad appeal to this cross-section of the American population. In addition, many network libraries supplement the national collection's broad appeal with volunteer-produced books and magazines of local interest. Biographies, fiction, how-to books, and bestsellers are very popular items in the national collection. Bestsellers and other popular books and many magazines are produced on flexible disc so they are available to borrowers in the shortest possible time, given present technology, after publication in print form. As part of research designed to speed up Braille production, the *New York Times Large Type Weekly* and the *National Geo-*

graphic are being produced experimentally using compositor tapes, which will allow, when perfected, almost simultaneous appearance with the print edition, since Brailleing does not have to be done from a print copy.

Do you need pages of text recorded to prepare for an exam? Many libraries have volunteers who record or Braille limited projects for their patrons or produce books and magazines of local interest to supplement the national collection's broad appeal. Any network library can give you the directory *Volunteers Who Produce Books*. It lists, by state, qualified persons who will produce Braille, large-type, or recorded materials for individuals. Specialties include music, mathematics, computer, and foreign-language transcription. The directory also lists volunteers who will duplicate and bind books, other sources of material, certified proofreaders, and state special education contacts.

Do you want to know where you can get large-print books or commercial spoken-word recordings? Many network libraries provide these materials to patrons as an extra service. And any network library can tell you where you can buy or borrow them. Providing information about handicapping conditions and devices and materials used by handicapped persons is part of their basic services. NLS provides back up service to network librarians if they cannot answer patrons' questions in this area; that is part of its basic service.

Network patrons needing general reference assistance are encouraged to consult their public libraries. In the past few years, many public and private libraries have established quick information telephone services for the general public. These can be particularly valuable to NLS patrons. Moreover, any public library is likely to provide reference service on local matters,

such as elections or where to pick fresh fruit.

Would you like to read cassettes on that extended camping trip you are planning for next summer? Ask your network library if the new solar-power panel for cassette machines is available. About 200 panels are now in production and scheduled for delivery in early 1982. In June 1979, a blind American citizen living up the Amazon about a hundred dugout-canoe miles from Cucui, Brazil, wrote NLS asking for Braille magazines she did not need to return because, with mail delivery only three times a year, receiving reading materials was difficult and returning it impossible. She would have preferred recorded material, she wrote, but had no electricity and no way to recharge batteries. Realizing that other patrons, including campers, faced the same problem and that technology then existed to solve it, NLS developed a lightweight, heavy-duty solar panel for use in direct sunlight to power a standard program cassette player or to recharge batteries for use at other times. Panels will be available through network libraries on long-term loan to persons living in areas without electricity and on short-term loan to campers.

Are you moving? Tell your network library—as soon as possible, to avoid interruption of service. Give your new address, even a temporary one. The library will change the address for magazines you are receiving and send your new library the list of books you have already read and those you have asked for. And by all means leave a forwarding address, even a temporary one, with the post office so that magazines you are receiving on subscription will follow you. When a magazine is returned as undeliverable, the subscription is automatically suspended. You can take with you the equipment and books you are

using—when you're through reading them, just turn the card over and put them in the mail.

Is your playback equipment not working? Call your library—many have toll-free numbers for patrons—and describe the problem; the staff can often suggest a way to make a needed adjustment at home. If the equipment must be returned to the library for repair, enclose a note describing the problem; otherwise, the staff won't know whether you want another machine or whether you are discontinuing service.

Have you always wanted to learn to play the guitar? Your network library can certify that you are eligible to borrow materials directly from the NLS Music Section. The disc and cassette collection is particularly strong in elementary instruction for guitar, piano, organ, and recorder. It also includes lectures about music and musicians, analyses of music, and instruction in music theory, on individual music compositions, and in voice. Most recorded courses do not require a knowledge of music or music Braille. Music for listening is not part of the recorded collection. The large-print collection of about 600 music scores with a staff size of one inch and text in 14-point type or larger includes many popular and traditional songbooks, easy piano pieces, and basic repertoire for voice, organ, and piano, as well as textbooks and biographies. The Braille music collection emphasizes serious music. Braille music scores range from beginning method books to materials used by students in college music programs and include a considerable number of pieces for piano, organ, and voice, as well as other instruments. Braille books about music include textbooks for music history, harmony and theory, sight-singing and orchestration, form and analysis and counterpoint, as well as biographical, bibliographical, and historical books.

You may also be interested in subscribing to periodicals about music, listed in *Magazines*, such as *Stereo Review*, dealing with popular music. A catalog series, *Music and Musicians*, lists materials in the collection by performance medium and format. Each catalog is available in large print and the format of the material listed—Braille, disc, or cassette.

You can call on the Music Section for bibliographic searches for music materials, answers to quick information questions, packets of information about music services, and referral to volunteers who can

produce special-format music scores not in the collection.

Are you having problems with service? Your network library will check on them. If you have suggestions about the national program or need help to work out unsolved service problems, call or write the Consumer Relations Section at NLS. Consumer relations serves an ombudsman function; it works closely with staff officers and other sections throughout NLS to improve service.

You may contact the Consumer Relations Section at 202-287-9226.

NEW POLICY ON PRODUCTION OF BRAILLE ANNOUNCED BY THE

NATIONAL LIBRARY SERVICE FOR THE BLIND AND PHYSICALLY HANDICAPPED

Under date of December 8, 1981, the National Library Service sent a bulletin to all of the regional and subregional libraries throughout the country announcing a new policy concerning production of Braille by volunteers. NLS believes its new approach will mean more Braille in less time. At least one blind person disagrees. The letter and the NLS bulletin demonstrate how the same facts may be seen from totally different points of view. The letter is from Brad Greenspan to David Stayer, the President of the National Federation of the Blind of New York:

January 15, 1982

Dear Dave:

Hope you find the enclosed interesting. The first thing you should know is this has not yet been disclosed to patrons, not even in the NLS Administrative Newsletter.

Imagine the scenario. NLS says that Press-Braille is too expensive, and this is why they are concentrating on hand-transcribed materials. Upon finding that there are few groups who can perform all the tasks listed in this memo simultaneously at one location, NLS will have relieved itself of all responsibility by saying that they tried for us, but no one could handle their new requirements. Therefore, they must "with deep regret" de-emphasize Braille. Back to square one.

The few groups that can "cut the mustard" will find it far more prestigious to work with NLS than to handle school textbooks. The excuse may be made that children no longer need Braille, since the cassette is easier for the teacher. I've heard this before, and I'm sure you have too.

Brad Greenspan

Network Bulletin*National Library Service for the Blind
and Physically Handicapped**The Library of Congress*

No. 844
Date December 8, 1981
Subject Volunteer Braille Production
To Be Reorganized
To Regional and Subregional
Libraries
Machine-Lending Agencies
Multistate Centers

NLS is presently conducting an extensive evaluation of its volunteer Braille production system to make the production of hand-copied Braille more timely and cost effective.

Plans call for the nationwide selection of key volunteer-coordinating groups that meet NLS standards and are able to perform or are willing to coordinate all four Braille production steps—transcription, proofreading, thermoforming, and binding—

in a timely manner. Groups that qualify for this status will be assigned a yearly quota of titles to produce. They will be responsible for all phases of production and work under tight delivery deadlines. Their performance will be monitored in the same manner as is standard with press Braille producers.

In the past, NLS assigned titles directly to groups or individual volunteers who were able to perform only one or two of the four production steps. Under this system, only a few titles were produced quickly.

Under the revised system all volunteers will receive titles through one of the national volunteer-coordinating groups. NLS will offer one-year agreements to those groups which demonstrate the ability to meet NLS standards. All groups interested in participating in the volunteer Braille program for 1982 are asked to contact Robert Fistick, Head, Production Control Section, NLS.

NLS believes this administrative shift to a national network of volunteer-coordinating groups will greatly enhance timeliness of production and improve the quality and quantity of volunteer-produced Braille.

For further information, please contact: Robert E. Fistick, Head, Production Control Section.

AGENCY FOR BLIND GETS A NEW LEADER

by *Hilda Bryant*
P-I Reporter

Reprinted with permission from *Seattle Post-Intelligencer*, Thursday, January 7, 1982

The State Commission for the Blind hired a 30-year-old former aide of Gov. Dan Evans yesterday to fight efforts to abolish the agency.

Paul Dziedzic of Kirkland will become director of the agency today. He will replace William James, who was hired just one year ago after the commission fired the

previous director and completely revamped the scandal-wracked agency.

James, who is blind, resigned under pressure December 8 after a well-organized mutiny of three-fourths of the agency staff who called on the governor to abolish the commission.

Staff members charged that James and his managers had "almost totally abdicated their decision-making responsibilities," which had fallen by default to the five-member commission. The commissioners are unpaid volunteers appointed by the governor.

'Interim Challenge'

The Commission for the Blind provides all the state services to the blind, including a residential rehabilitation center in Seattle.

Dziedzic (pronounced Jayjik) is the first sighted director to head the agency in more than a decade.

Dziedzic said yesterday that he considers the \$40,300 job "an interim challenge" to stabilize the agency and carry it through a year-long legislative review mandated by a "sunset" clause written into the act establishing the commission.

Under the clause, the Legislature can allow the law establishing the commission to lapse in 1983, and simply transfer the programs for the blind to another state agency, probably the Department of Social and Health Services.

Abolishing Sought

Gov. John Spellman has ordered his staff to propose a reorganization of more than a dozen small commissions. Under that proposal, the agency for the blind is targeted for a major revamping that would wipe out the commission and transfer the agency's functions to DSHS, said commission chairwoman Bonnie Larson.

A bill to abolish the commission and transfer the agency to DSHS failed in the special session, but will be reintroduced in the regular session this month, Larson said.

James said he hopes his resignation will help halt the momentum that is building to get rid of the commission form of administration. He said he is convinced that blind citizens ought to be involved in their own agency, and insisted that this is possible only under a commission.

Former Aide to Evans

Larson said James "is a very nice kind of person, but it takes more than being nice to run an agency effectively." She said commissioners and agency staff were frustrated by long delays in getting policies put into force.

Dziedzic was an assistant to Gov. Dan Evans for six years, when he was responsible for the governor's committee for employment of the handicapped. Last year he was employed by Spellman to organize the state's participation in the United Nations Year of the Handicapped.

THE SKIES OF UNITED TURN FRIENDLY

CORRESPONDENCE BETWEEN RICHARD FERRIS AND SHARON GOLD

by *Kenneth Jernigan*

During the past eight or ten years we have probably had as much contact with United Airlines as with any other large business serving the public. Often those contacts have been heated and hostile, virtually amounting to confrontation. Sometimes they have been reasoned discussions and gentle exchanges of ideas. There have been negotiating sessions, legal actions, and press releases.

As might be expected, those who do not believe in the effectiveness of the democratic process or the worthwhileness of collective action by citizens have repeatedly asked what the purpose of it all is. They have said that we are too "militant," that the world is the way it is, that we ought to recognize the fact, and that we can't hope to accomplish anything in standing up to an organization as powerful as United Airlines. In other words (although they have not always put it this way) they have rephrased the same old question, "Why the National Federation of the Blind?"

Of course, that question is answered a hundred times in the lives of individual blind people every day. It is answered when we win court cases or when we change the attitude of a single individual, but it is also answered in the effect of the Federation upon our spirit and self-concept—what it does to us as individuals simply to come to believe in our own worth and the justice of our cause, to know that we are not alone but are working collectively to do something about our problems: hoping and dreaming and trying.

But back to United Airlines. There was

a time when United officials wanted to arrest us for keeping our canes with us on airplanes. There was a time when every blind person who boarded a flight with a dog guide could expect meekly to sit where he or she was told and be quiet about it or have a first-class public shouting contest. Mostly (because of our confrontations and our appeals to reason) those times are pretty much behind us, isolated incidents to the contrary notwithstanding. But it is only recently that we have been able to move to the positive side of the picture, to leave behind us the confrontations and surly acquiescence of United officials in favor of real understanding and partnership. However, it would appear that the *positive* era (the thing we started out to achieve in the first place) is now beginning to emerge. A good example can be seen in the recent correspondence between Sharon Gold, the President of our California affiliate, and Richard J. Ferris, the Chairman of United Airlines. As the following correspondence will demonstrate, United was running an ad in the Los Angeles area (and probably throughout the country) which was demeaning to the image of blind people. Sharon wrote to Mr. Ferris about it. She asked that the ad be withdrawn, and she gave her reasons.

Back came the answer. There was no delay, no hedging, no surliness, no anger, and no delegating the matter to an underling—but a straightforward, immediate response from Mr. Ferris himself. The ad would be withdrawn immediately. It is that simple.

But it is really not simple. In that one act of withdrawing the ad is symbolized the whole struggle of the blind to be free—the painful years of confrontation, the battle of canes and dog guides, the arguments at ticket counters, the letters of protest, the news stories, and the pleading for understanding—in other words, all of the things that go into the long and tedious process of altering public attitudes and moving from inferiority to first-class status in society, from objects of pity and contempt to equal partners in an atmosphere of growing trust and respect.

Let anyone who doubts the power and effectiveness of the National Federation of the Blind or the value of persistence and patience and collective action read the following letters:

Lancaster, California
December 12, 1981

Dear Mr. Ferris:

This letter concerns the recorded advertisement currently being aired on radio stations in the Los Angeles area. This advertisement announces the reduced fares that United Airlines is offering on its "Friendship Express" from Los Angeles to Seattle.

The ad depicts a gentleman approaching the United Airlines ticket/check-in counter. He speaks to the airlines representative and calls this person "sir." When the representative informs the traveler that she is a "miss," the gentleman makes apologies for his error. The man then questions if he is truly at United Airlines since the price is so low, and he finally says that he must get his glasses. While the traveler is apparently searching for his glasses, the agent attempts to sort out the traveler's confusion over the low fares and the relationship between United Airlines and the "Friendship Ex-

press." Disbelieving the agent's explanation, the traveler says, "What's the catch? Lots of restrictions. Right? I'm not blind!"

The dialogue continues with the traveler exclaiming that the airplane has just taken off without him! The agent corrects the traveler's misreading of the gate number and tells him to "put on your glasses, sir."

Presumably when United Airlines pays for advertising time, the publicity is intended to appeal to all persons who are potential travelers on United Airlines. Further, it would be reasonable to assume that United Airlines would be sensitive to all segments of the population in order to promote United's best interests. However, in this advertisement, United Airlines has unfortunately chosen a script which is demeaning to a segment of the population—the blind. The dialogue presented suggests to the listening public that blind persons (including those with some residual vision), who may benefit from corrective lenses, are confused, ignorant, disoriented, and unperceptive. This dialogue further reinforces the age-old stereotype that to be blind is to be incapable and unable to function as an equal partner in society.

Surveys tell us that the population fears blindness second only to cancer. Such attitudes toward blindness, as put forth in the United Airlines ad, only serve to feed and reinforce the public's fears of blindness. These attitudes may be destructive to the self-image of the blind (especially the newly blind) and these attitudes are destructive to the peer relationship between the blind and the sighted.

For more than forty years, the National Federation of the Blind, an organization of over 50,000 blind persons, has been educating the American public and providing peer counseling in an effort to dispel prevailing attitudes toward and fears of blindness. We have worked to raise the public's

consciousness of the many and varied abilities of citizens who happen to be blind and we have sought better training facilities and greater opportunities for the blind. Because of our efforts, blind persons are taking their place in society as first-class citizens and can be found employed in virtually every trade and profession.

We, of the National Federation of the Blind, trust that by this letter United Airlines will suspend further airing of this advertisement and thus cease to promote United Airlines at the expense of the blind. We also trust that when preparing future advertisement scripts, United Airlines will consider the implications of these ads upon all segments of the population, including the blind.

Your attention to this matter and response to this letter will be appreciated. Thank you.

Very truly yours,
Sharon Gold, President
National Federation of the
Blind
Western Division

Chicago, Illinois
December 30, 1981

Dear Ms. Gold:

Thank you for your letter of December 12 regarding one of our "Friendship Express" radio commercials which you heard recently in the Los Angeles area.

On behalf of United Airlines, I would like to apologize for any offense you may have taken to the copy references in this particular commercial about "being blind." This series of commercials uses Tom Poston, a television and radio personality, who occasionally does impromptu script variations which can be subject to misinterpretation by the listener.

Our Advertising Department advises me that this commercial is being replaced in all markets where it was scheduled. Your thoughtfulness in calling this to my attention is appreciated.

Sincerely,
Richard J. Ferris
Chairman

MEMORANDUM ISSUED CONCERNING SECTION 504

In the summer of 1981 William H. van den Toorn, Acting Director, Office of Public Affairs, Office for Civil Rights, Department of Health and Human Services, issued a memorandum concerning Section 504 of the Rehabilitation Act. Mr. van den Toorn's memorandum is worth studying. It gives insight as to the thinking of the present Administration concerning Section 504, and it also emphasizes the dangers involved in having a separate Civil Rights Act for the blind instead of including us along with

other minorities in the regular Civil Rights Act of 1964: Mr. van den Toorn writes as follows:

To: Senior Staff
Regional Directors
Regions I - X

From: William H. van den Toorn
Acting Director
Office of Public Affairs
Office for Civil Rights

Subject: Departmental Policy with Respect to Section 504 Employment Discrimination Complaints

I am attaching a fact sheet summarizing OCR's current position with respect to jurisdiction over Section 504 employment discrimination complaints.

You may find this useful in responding to public inquiries.

Section 504
Coverage of Employment
Office for Civil Rights
Department of Health and Human Services

Section 504 prohibits discrimination on the basis of handicap in federally assisted programs and activities. The statute itself contains no provision restricting coverage over employment. Although the legislative history of Section 504 is sparse, when the statute was amended in 1974, Congress indicated that its intent was to cover employment.¹

Section 504 is patterned after Section 601 of the Civil Rights Act of 1964, which prohibits discrimination on grounds of race, color, or national origin in federally assisted programs. Section 601 is, in turn, limited by Section 604, which restricts the statute's applicability to employment. This restriction was imposed, however, to avoid duplication, since Title VII of the Civil Rights Act bars employment discrimination on grounds of race, color, religion, sex, or national origin. Handicapped employees, on the other hand, have no alternative remedy for discrimination by recipients of Federal funds under Title VII or any comparable laws. The legislative history of the 1974 amendment specifies that Section 504 was modeled only after Section 601 of Title VI, not Section 604.

Based on these considerations, the Department's regulation enforcing Section 504 prohibits employment discrimination (45 CFR Part 84, Subpart B).

In 1978, Congress again amended the Rehabilitation Act. A new Section 505 was added, entitled "Attorneys Fees and Remedies," which provides in part:

" . . . that the remedies, procedures, and rights set forth in Title VI of the Civil Rights Act of 1964 shall be available to any person aggrieved by any act or failure to act by any recipient of Federal assistance or Federal provider of such assistance under § 504 of this Act."

It has been argued that in enacting Section 505, Congress intended to apply the Title VI restriction on employment coverage to Section 504. However, the legislative history indicates that Congress simply intended that the same administrative, investigative, and enforcement procedures as are used under Title VI should be applied to Section 504.² There is no indication that Congress intended to limit in any substantive way the Section 504 coverage of employment. The Department of Justice has characterized Section 505 as remedial and found that its purpose was to expand the rights of handicapped persons by providing an additional enforcement mechanism without cutting back on the substantive scope of Section 504.

In issuing its final rule implementing Section 504, the Justice Department addressed the question of Section 504's application to employment:

"In view of the legislative history of the Rehabilitation Act of 1973 and its amendments, HEW's administrative construction, the remedial nature of

Section 504 and the legislative history of Section 120(a) (Section 505 of the Act), the Department believes that the employment practices of recipients of Federal financial assistance are covered by Section 504 regardless of the purpose of the assistance, and the Department's proposed regulations reflect this view.³

The Justice Department also took note of conflicting court decisions on the issue that had been handed down as of June 3, 1980 (the date its final rule was published). Justice indicated that it would enforce the broad prohibition against employment discrimination except in two circuits where the U.S. Courts of Appeal had issued decisions that restricted the Section 504 coverage of employment. The Department stated that *Trageser v. Libbie Rehabilitation Center*, 590 F. 2d 87 (4th Cir. 1978), "is the controlling rule in Maryland, North Carolina, South Carolina, Virginia, and West Virginia, the five states comprising the Fourth Circuit." In the same manner, *Carmi v. Metropolitan St. Louis Sewer District*, 620 F. 2d 672 (8th Cir. 1980) "is the controlling law" for states comprising the Eighth Circuit. The Justice Department stated that the employment provisions of Section 504 would be enforced in these circuits only where the primary purpose of the Federal financial assistance is employment or where discrimination against employees affects program beneficiaries.

In essence, this is the approach OCR has taken in enforcing its own Section 504 regulation. One additional appeals court decision has been issued limiting the Section 504 employment coverage (*U.S. v. Cabrini Medical Center*, 639 F. 2d 908 (2d

Cir. 1981)). Accordingly, in the Second, Fourth, and Eighth Circuits, OCR applies the standard adopted by the Department of Justice. It is our view that in other circuits, OCR is obligated to enforce its regulation. The courts have consistently held that absent a controlling judicial ruling, the construction of a statute by the agency charged with administering it is entitled to great weight.

June 22, 1981

No one should think for a moment that Mr. van den Toorn's memorandum and fact sheet do not constitute a threat to civil rights enforcement nationwide and government-wide. True enough, Mr. van den Toorn speaks only for his particular civil rights office in the Department of Health and Human Services, but other federal departments are joining what is fast becoming an Administration band wagon. For instance, there is the December 3, 1981, policy announced by the Department of Education, Office for Civil Rights, placing several categories of Section 504 cases (including those of employment discrimination) in a so-called "hold." There is a lot of fancy rhetoric used to attempt to explain what this means, but the long and the short of it is less enforcement and increasing delay on those cases which can be investigated. Moreover, employment discrimination cases will not be processed in any region of the country. This emphasizes more than ever the need to achieve passage by Congress of legislation against such discrimination by amending the Civil Rights Act of 1964.

³ S. Rep. No. 93-1297, 93rd Cong., 2d. Sess., reprinted in 1974 U.S. Code Cong. & Ad. News 6373, 6388. Also see, in connection with the Education for All Handicapped

Children Act (P.L. 94-142), S. Con. Rep. No. 445, 94th Cong., 1st Sess. 54 (1974).

²See S. Rep. 95-890, 95th Cong., 1st Sess. (1978); H. Rep. 95-1149, 95th Cong., 2d Sess.; Hearings before the Subcommittee on Select Education of the House Committee on Education and Labor, 95th Cong., 2d Sess. 268 (1978).

³45 *Fed. Reg.* 37628 (June 3, 1980).

THE MOVEMENT AT WORK: FEDERATIONISTS MARCH ON WASHINGTON

by *James Gashel*

The March on Washington is becoming an annual tradition in our movement. Each year new states join the ranks of those sending representatives to walk the halls of Congress and talk about the national issues of special concern to the blind. The first of these marches was held back in the fall of 1973, at the height of such historic events as Watergate, when we gathered to tell Congress about how the federal government was harming blind people by spending our tax dollars on annual grants to the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC). Congress listened to us, and the rest—NAC's loss of federal support, along with a steady decline ever since—is history.

In the years since 1973, we have had many great marches. While the specific issues vary from time to time, the theme (that blind people want independence and first-class status) is always the same. Carrying this message to Congress from local communities throughout our land is vital to the work and continued success of our movement, legislatively and otherwise. A measure of our effectiveness in this effort is the fact that members who have served in Congress for the past several years are now well aware of our principal legislative goals.

We know this by the encouraging patterns of their responses and their willingness to help in a variety of ways.

During this particular march, we focused on six major areas of concern. These will be presented later in detail. Our headquarters hotel was the Holiday Inn Capitol, located only a few blocks west of the three office buildings used by the members of the House of Representatives. This proved to be a superb facility and an ideal location. Our work began as we assembled for initial briefings on Sunday, January 31. Dr. Jernigan conducted the opening session, giving us an update on recent events affecting our movement throughout the country and laying out the challenge for the work to be done on Capitol Hill. Plans were also made for anyone to visit the National Center in Baltimore.

Then, on Monday, February 1, as the Second Session of the 97th Congress entered its second week of business, Federationists went in teams and individually to explain the status of the blind in America today and to present our agenda for legislative action. After each meeting a report was filed with a hardworking team assigned to coordinate all appointments and to assemble the results. A bank of four telephones

plus Federation-owned radio communications equipment made for easy contact between Capitol Hill and our Holiday Inn command post.

This was a professional operation through and through, showing the benefits of several years of experience and organizational skills. In all, there were more than 200 of us participating. Thirty states sent representatives; many more than one. The NFB of Pennsylvania chartered a bus to bring in Federationists for Tuesday, February 2. These people joined other Pennsylvanians on hand in Washington throughout the entire march.

Among the highlights were meetings with both Administration and Congressional leaders. In a meeting with members of the White House staff, we described how current laws and federal programs are failing to fulfill their intended objectives, keeping most blind people outside the work force and largely unassisted in any meaningful way. We explained our position that many of the rehabilitation agencies (public as well as private) need to undergo extensive reform. But, we also pointed out that the President's programs have so far not stimulated the kind of reform necessary. Then, we met with Congressional leaders, including House Speaker Thomas P. (Tip) O'Neill, Senator Edward Kennedy, and Senator Howard Metzenbaum. These gentlemen share political views quite different from those of the Administration. There was a meeting with Senator Strom Thurmond, Chairman of the Senate Judiciary Committee. His committee handles the voting rights issues which will be discussed later. Meanwhile, on the House side of the Capitol other state delegations were meeting with influential committee and subcommittee chairpersons such as Carl Perkins and William Natcher. Together, Mr. Perkins and Mr. Natcher have the principal responsibility

for all legislation and distribution of federal funds relating to programs of greatest importance to the blind of this country. When the final reports were in, we had visited every Congressional office.

And by all accounts, our meetings were constructive. For one thing, there is a marked increase in the number of House and Senate cosponsors for the bills of principal interest to us. Also, we made great progress in the Senate, when on February 3, as the finale to our march, Senator Paul Tsongas introduced a bill to prevent paying blind and visually impaired workers less than the minimum wage. Senator Tsongas is a member of the Committee on Labor and Human Resources, the Committee in the Senate having jurisdiction over all bills, such as this one, relating to labor standards. In offering this bill, S. 2056, Senator Tsongas said:

CONGRESSIONAL RECORD—SENATE

February 3, 1982

Fair Wages for Blind Workers

"Mr. Tsongas. Mr. President, today I am joining with Senators Levin and Chiles to introduce legislation that would bar substandard wages for blind workers. It would amend the Fair Labor Standards Act of 1938 to provide that blind persons may not be employed at less than the applicable minimum wage.

Currently the law allows blind workers to be paid at a rate that can be as low as 25 percent of the Federal minimum wage. In sheltered workshops, which employ one out of every seven blind workers, a subminimum wage is the norm. Half of these workers are paid less than \$1,500 a year.

A few sheltered workshops across the country have shown that fair pay is practical.

There are 20 workshops, with more than 5,000 sightless employees, that pay the minimum wage. They produce a variety of products for healthy profits, and they do it without taking economic advantage of the workers.

By contrast, the others use the law to make enormous profits. They are practicing economic discrimination against their blind employees.

Some people are concerned that closing this loophole would adversely affect other benefits—supplemental security income and social security disability insurance. This is unfounded. A blind person can earn above the minimum wage before SSI benefits are reduced.

Although the SSDI rules are not as flexible, a blind worker can earn \$5,500 before those benefits are affected. This is much higher than the average subminimum salary under the present law.

Current law is unjust and patronizing the blind workers. It is an affront to the thousands of sightless workers who overcome major barriers to gainful employment. Often they are placed in positions beneath their skills, with little if any hope for advancement.

Mr. President, our blind citizens have many skills to contribute to America's economic strength. They have every right to demand fair compensation for productive efforts . . . every right except the legal right. This legislation, which is strongly supported by the National Federation of the Blind, will finally give these workers the right to a decent wage. I urge my colleagues to join in ending this chronic injustice."

To those words, we can only say Amen! Yes, our voice is being heard in communities around this country and on Capitol Hill, today. Reprinted below are the position papers we are currently using in the 97th Congress. These should be read and understood by every Federationist. Then, each of us should actively join the effort to inform our Senators and Representatives whenever we can arrange to see them. The March on Washington is not simply a one-time event or even a once-a-year observance. It is part of a total effort, and it is helping to keep our movement on the move.

LEGISLATIVE MEMORANDUM

FROM: Members of the National Federation of the Blind

TO: Members of the Ninety-Seventh Congress, Second Session

RE: The blind: An agenda for legislative action

Background: Nearly one-half million people in the United States are blind; we

do not see, or we do not see very well, but for most of us the lack of eyesight has not been the principal obstacle. As much as any other group of citizens, we want to shoulder our share of the burden by contributing to the growth of our nation's economy, and most of us have the capacity (not merely the desire) to do this; several thousand of us are already at work and proving ourselves every day.

The rest of us have been side-tracked,

and as the economic times grow harder, our prospects for an equal chance to be part of the productive life of our communities continue to diminish. The best statistics we can gather show that only about 30,000 blind people have jobs which pay them more than \$500 per month, just enough to lose all of their Social Security benefits but hardly enough to live on. Most blind people are not able to find work, but when they do, they may often be channelled into jobs far beneath their skills and potential, such as working at below poverty level wages in sheltered workshops. Few blind people own their own businesses. About 4,000 participate in a special government sponsored program, providing opportunities for them to manage vending facilities on federal and other property.

Most blind people have only their Social Security or Supplemental Security Income checks to meet regular daily living expenses, yet many could be self-sufficient and productive if given the opportunity to do so. Social attitudes about blindness are our greatest obstacle. The National Federation of the Blind is working to alter these conditions, principally by means of educating the public to new ways of thinking. Yet, these educational efforts need a framework of laws and related legislative actions in order to move blind people from the historic status of isolation into the mainstream of our social and economic life. A legislative agenda (described below) has been forged to accomplish this. Comprehensive "fact sheets," on each item are also attached. Our proposals address problems identified by the blind with workable legislative solutions, and in each case, federal legislation represents the most viable option available.

(1) *Congress should* amend the Wagner-O'Day Act of 1938 to strengthen management and accountability in the distribution of federal contracts to sheltered workshops.

This proposal seeks improved administrative mechanisms for allocating noncompetitive government contracts to sheltered workshops. Under current law, a Presidentially-appointed "Committee for Purchase from the Blind and Other Severely Handicapped" oversees government contracting with sheltered workshops. The Committee has given National Industries for the Blind (NIB) responsibility for allocating these contracts to workshops employing the blind, and NIB (purportedly nonprofit) receives a commission on each contract. NIB opposes guaranteeing minimum wage for blind workers and their right to labor union representation, using money raised from sales to the government to underwrite campaigns against these policy changes. According to the General Accounting Office, in a recent report to Congress, NIB's spending of such money acquired from government sales cannot be controlled through the normal appropriations process. Thorough Congressional oversight, leading toward legislative reform, is needed.

(2) *Congress should* amend the Fair Labor Standards Act (FLSA) of 1938 to prohibit paying blind workers less than minimum wage. This proposal seeks wage protection for low income blind workers and asks for nothing more than the wage guarantee which the FLSA extends to employees who are not blind. FLSA allows wages as low as 25% of the federal minimum, but all studies agree that there are numerous uncontrolled violations.

(3) *Congress should* amend Title VII of the Civil Rights Act of 1964 to prohibit employment discrimination based on blindness or physical disability. This proposal seeks to expand employment opportunities for the blind through a federal prohibition against employment discrimination based on prejudice or misconception. Despite all of the efforts we are making to change

public attitudes, the image of the helpless, dependent blind person is still wide-spread in our culture. This has resulted in limiting substantially our opportunities for competitive employment, and laws must be enacted to prevent these unjustified restrictions. In some states, the laws which prohibit employment discrimination against women and minorities have been amended to include protection for disabled persons, and the results have shown that public policy against discrimination on the basis of handicap can expand employment possibilities while reducing the burden on our welfare system. The federal legislation in this area is limited, and court rulings have largely eroded Congressional intent. This is why Congress must act to insure equal employment opportunities for blind and handicapped persons.

(4) *Congress should* amend Title II of the Social Security Act to remove employment disincentives from the conditions of eligibility for blind persons to receive disability insurance. This proposal seeks to eliminate a substantial economic barrier (the \$500 per month earnings limitation) placed on blind persons receiving Social Security Disability Insurance (SSDI) checks. The concept of Social Security replacing income lost because of a disability such as blindness has merit. Its shortcoming, however, is the arbitrary limitation imposed on income derived from earnings. This denies a hand up to those who want to achieve self-sufficiency again, stifling the initiative of thousands of potentially productive blind citizens. A legislative solution, calling for specific changes in Title II of the Social Security Act, has enjoyed bipartisan support in past Congresses and several amendments to provide more work incentives for the blind have actually become law; the most recent of these being part of the 1977 Social Security amend-

ments. Federal law should not continue to discourage the blind from becoming self-supporting, tax-paying citizens, and the Social Security Act must be amended accordingly.

(5) *Congress should* provide adequate appropriations under Title III of the Comprehensive Employment and Training Act to allow continued federal support for Job Opportunities for the Blind. This proposal seeks more and better employment prospects for the blind through a targeted job information and referral service, known as Job Opportunities for the Blind (JOB). JOB is funded through a contract with the United States Department of Labor, Employment and Training Administration. The program offers an especially important service to blind people by identifying employment opportunities and working with employers to provide accurate information about the employment skills of qualified blind people. JOB's objectives are consistent with our nation's current need for economic recovery, since every blind person who becomes productive is one less individual requiring financial assistance at public expense. Each member of Congress and each staff member should know about and support with pride the work of JOB. Blind constituents who require this service should be informed of its existence and may be referred for help from JOB as long as the program continues to operate.

(6) *Congress should* amend the Voting Rights Act of 1965 to assure that each blind person registered to vote will have the right to cast a vote in private with the aid of a personal assistant freely chosen by the blind voter. This proposal seeks nationwide observance of a fair and dignified voting procedure for the blind and will thus encourage greater participation by the blind in our democratic electoral process. Many states and political subdivisions have

already enacted laws which allow blind persons to vote with the aid of personally chosen sighted assistants, but in other jurisdictions this right is limited. For example, some states require the assistant to be a "relative" of the blind voter, and some even add the qualification that the assistant be a "friend." In some instances, state laws suggest that a spouse must accompany the blind voter, or if the voter has no spouse available, two election officials (who may be unknown to the voter) must help in casting the ballot. Thus, the laws are vague and inconsistent. In addition, their requirements are inconsistently applied, even where they are specific. A federal solution is available by amending the Voting Rights Act of 1965 during the current Congressional action to extend certain expiring provisions of that Act. Moreover, because of the language of a House-passed amendment, which introduces into the Voting Rights Act the subject of voter assistance, it is imperative that clarifying language be added in order to preserve and protect the voting assistance rights of the blind.

Blind people are asking for your help in gathering support for legislation in the areas here outlined. Bills to achieve our objectives have been introduced in the 97th Congress, and cosponsors are actively being sought. Many priorities confront this session of Congress, but none is more important than putting America back to work again. The blind must not be overlooked in fashioning the best possible legislative program to do the job.

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FACT SHEET

SHELTERED WORKSHOPS: ECONOMIC DEPRESSION FOR THE BLIND

In 1938, Congress enacted the Wagner-O'Day Act, which established a mechanism insuring that government agencies will purchase goods and services from sheltered workshops employing blind and severely handicapped individuals. While this program (commonly referred to as the Javits-Wagner-O'Day Program) has generated hundreds of millions of dollars in revenues to sheltered workshops for the handicapped, it has failed to produce a significant source of income for blind and severely handicapped workers who are, far too often, dependent on sheltered workshop programs as their only source of employment. The Fair Labor Standards Act provides for the specific exclusion of normal wage and hour protection for blind persons working in the workshops. We have called your attention to this matter in the past. The problem persists.

National Industries for the Blind (NIB), the central nonprofit agency, which allocates orders from federal agencies to sheltered workshops for the blind, generates a substantial annual income, based almost in its entirety, on the labor of blind workers, and uses substantial portions of its income on issues which are against the best interest of these same blind workers. For example, National Industries for the Blind uses a substantial portion of its annual income (how much, it will not disclose) to pay legal fees in connection with a campaign against blind shop workers who are striving

to improve their wages and working conditions.

Legislation is urgently needed.

(1) *Congress should* amend the Fair Labor Standards Act to extend minimum wage protection to blind workers in sheltered workshops.

(2) *Congress should* conduct oversight hearings to examine the role of the Committee for Purchase from the Blind and Other Severely Handicapped and National Industries for the Blind, to revise their scope, control and budgetary limitations.

General Accounting Office identifies weaknesses in current system but falls short of completing analysis: On July 10, 1979, Congressman Barry M. Goldwater, Jr. requested that the General Accounting Office review the issues surrounding employment of blind persons in sheltered workshop programs. The General Accounting Office Report falls short of completing the specific request "that the best interests of the blind be kept in the forefront during the investigation, and that such be taken into consideration in any recommendations your staff may make."

Specifically, page iii indicates, "For fiscal years 1977-79, Labor reported that 317 (or 60%) of the 524 workshops investigated had underpaid 11,482 handicapped workers about \$2.7 million."

While the General Accounting Office recommends remedial action for many problem areas, the report does not indicate that workshops guilty of the underpayments should be required to pay the employees all the wages due them. The report also fails to recommend that any of the workshops guilty of the underpayments be cited or fined for their wrong doing, or for that matter, that wages paid from 1979 to date be reviewed by Labor to ascertain if the problem continued after the GAO investigation.

It is also disappointing to note that while Deputy Under Secretary of Labor Collyer concurred with the General Accounting Office findings, he did not address reimbursement of underpayments to employees in his response on page 129 of the GAO Report.

Concerns of a broader nature are presented on page 56 which indicates "*Expenditure of commissions by central nonprofit agencies (including NIB) are not restricted to program-related activities.*"

Although federal regulations provide ground rules concerning the roles and responsibilities of the central nonprofit agencies, neither the Act nor the federal regulations limit the scope of activities of the central nonprofit agencies. The central nonprofit agencies perform a wide range of functions under the general authority designated by the Committee for Purchase from the Blind and Other Severely Handicapped.

The second paragraph of page 55 of GAO's report states:

"Although the central nonprofit agencies are funded primarily by the commissions paid from sheltered workshops, the Committee does not require the agencies to submit a proposed financial or operating plan on their program-related activities. According to the federal regulations, the central nonprofit agencies must submit an annual report to the Committee for each fiscal year concerning the operations of its participating workshops under the Act, including any information which the central nonprofit agency considers appropriate or the Committee may request. However, financial information relating to the central nonprofit agencies' governmental responsibilities is not included.

As a result, the central nonprofit agencies are not subject to a budget review or financial analysis by the Committee. Without financial information, the Committee cannot assure that the commissions received by the central nonprofit agencies are justified."

FACT SHEET

MINIMUM WAGE FOR THE BLIND

H.R. 852, H.R. 1949, and S. 2056—Purpose: To extend to blind and visually impaired citizens the coverage of the minimum wage and overtime pay provisions of the Fair Labor Standards Act (FLSA).

Legislative History: H.R. 852 has been introduced by The Honorable Phillip Burton of California, with H.R. 1949 (introduced by The Honorable Mario Biaggi of New York) as an identical bill in the House. S. 2056 is the Senate bill introduced by The Honorable Paul Tsongas of Massachusetts. Since 1978, four days of hearings have been held by the Subcommittee on Labor Standards of the House Committee on Education and Labor. These hearings have been part of a serious reassessment of present law and policy.

In 1979, the Secretary of Labor held hearings as part of an Administration review of current regulations. One year later, a decision was reached that an "experimental" program to bring all blind workers to at least the minimum wage would be started. But, with a new Administration, this "experiment" is now on the "shelf."

Also, in mid-1979, the General Accounting Office (GAO) commenced a large-scale

review of the so-called sheltered workshops which receive the principal advantage of subminimum wages. GAO's report entitled *Stronger Federal Efforts Needed for Providing Employment Opportunities and Enforcing Labor Standards in Sheltered Workshops* was sent to Congress in September, 1981, but to date no action has been taken on the recommendations. GAO found substantial violations of the FLSA, thus confirming the conclusions of other surveys.

Present Law and Regulations: Section 14(c) of the FLSA permits subminimum wage payments to handicapped workers and authorizes the Secretary of Labor to promulgate regulations and to establish certification procedures under which subminimum wages may be paid. Any employer, (including a sheltered workshop) may pay handicapped employees subminimum wages after submitting for approval by the Department of Labor a request for an exemption.

Labor Department regulations allow the subminimum wages to go as low as 25% of the statutory minimum wage.

Background Data: A study released by the U.S. Department of Labor in March, 1979, reported that there were 6,196 "visually impaired" workers in more than 100 sheltered workshops. There are an estimated 900 blind employees in competitive industry receiving subminimum wages, but exact data is not available. Exemption certificates show that many workers earn less than \$1 an hour—and some get only carfare—without fringe benefits or job security. Half of the blind workers were paid less than \$1,500 according to the 1979 Labor Department report. Administrators of the workshops, by contrast, often receive salaries in the \$50,000 range with substantial benefits.

One hundred four sheltered workshops for the blind are part of a nationwide sys-

tem known as National Industries for the Blind (NIB). NIB (a private organization) allocates federal government and other contracts to the workshops and receives in return a commission. It employs approximately 60 people nationally (reportedly none of whom are blind, many being former military executives who receive substantial retirement pensions). NIB spends approximately \$2 million annually on salaries and other expenses.

Reasons to Adopt: Blind people should not be excluded from our long-established national policy of minimum wage protection for American workers. The justification which has been used for excluding the blind from wage protection available to the sighted is the presumption that productivity is lower among the blind than other workers, but the facts are to the contrary. Almost all blind people who work in private industry are paid the minimum wage or above, and approximately 20 sheltered workshops for the blind guarantee their blind employees at least the minimum wage. The question should be asked, why are other workshops not required to protect the wages of blind workers?

Inefficient management, substandard equipment, and poor production methods are at the heart of the problem. The blind should no longer be forced to suffer the injustice of subminimum wages in order to subsidize inefficiency and substandard conditions. Thoroughly tried and tested business practices commonly in use in industry today can improve productivity and increase business volume for the workshops. Business and industry have demonstrated the capacity to improve wages and working conditions for American workers, and there is no reason to expect that the managers of sheltered workshops could not do the same for the blind.

Blind workers are productive. During FY 1980, the 5,300 blind people who worked in the NIB system generated \$140,853,890 in gross sales. But these blind workers were not paid an equitable amount in comparison to their productivity—salaries and fringe benefits amounted to \$26,494,846 or 19% of the gross sales. In regular industry it is customary for salaries and fringe benefits paid to production workers to be in the range of 23.4% to 28% of gross sales or even more.

The workshops argue that they cannot increase the wages of the blind but there are plenty of facts which do not support their assertion. Surveys of balance sheets for several agencies which operate workshops show sufficient capital is available. For example, The Industrial Home for the Blind (IHB) which operates three sheltered plants in the New York City area reported net worth of \$13,689,655 at the end of 1976. In 1978, IHB produced revenue of \$3,754,827 from its sales activities, yet, blind workers were only paid \$360,000, less than 10% for their labors.

In Washington, D.C., the Columbia Lighthouse for the Blind was worth \$2,229,998 as it started 1977, and this was up from \$1,662,507 at the beginning of the previous year. In Cincinnati, the Clovernook Home and School for the Blind (which also operates a sheltered workshop) boosted its net worth by \$224,534 during 1977, reaching a total of \$7,945,877 at the end of that year. Looking at the broader picture, a random sample check of fund balance sheets from 36 workshops (1/3 of the NIB system) shows that 77% of them had excess income over expenses during 1977.

It is contended that the removal of subminimum wages for the blind will be harmful since blind persons who receive higher wages will lose Supplemental Security

Income (SSI) and Social Security Disability Insurance (SSDI) benefits. This is not necessarily the case. The SSI eligibility rules for the blind permit earnings well above the minimum wage before benefits are suspended or even reduced. The SSDI rules are somewhat more restrictive, but any blind person is permitted to earn \$6,000 during 1982 before SSDI benefits are terminated, and this rate is higher than the average wage which workers receive in the NIB system. Most importantly, the decision to earn one's daily bread is a matter of individual choice, and no employer should be permitted to limit a worker's earnings simply because the employee has access to other income. The blind have decided that it is better to earn a living than to live off of the earnings of others, and this decision should command the respect of all.

FACT SHEET

EMPLOYMENT DISCRIMINATION AGAINST THE BLIND

H.R. 1919—Purpose: To amend Title VII of the Civil Rights Act of 1964 to make discrimination against handicapped individuals an unlawful employment practice.

Legislative History: H.R. 1919, designed to prohibit employment discrimination on the basis of handicap, has been introduced by The Honorable John Moakley of Massachusetts. Although support has been building for legislation to provide protection against employment discrimination for the blind and handicapped, the most significant steps were taken in the 96th Congress. Of special importance was introduction of companion bills in the Senate and House.

During the first session of the 96th Congress the Senate Committee on Labor and Human Resources conducted hearings on the Senate bill (entitled the "Equal Employment Opportunity for the Handicapped Act") and favorably reported the bill on August 1, 1979; however, neither the Senate nor the House took final action as the 96th Congress came to a close.

Background: Despite expenditures of nearly one billion dollars annually for the state/federal vocational rehabilitation program, most blind people remain substantially unemployed or underemployed. Social Security data indicates that approximately 30,000 blind people have jobs which pay them gross wages in excess of \$500 per month, just enough not to receive Social Security Disability Insurance benefits. The problem is discrimination, not any general incapacity for work among the blind. Myths, misconceptions, and lack of accurate information about blindness caused this discrimination, leading employers to make typical statements such as the following: "I'd like to hire a blind person. I really would, but we have a factory here, and there's really nothing they can do—but you understand. I know how capable they are; I wish I could help." These phrases are the most common manifestations of the deep-seated prejudices, fears, and doubts about the ability of blind people to work productively; this is the essence of discrimination, coupled with kindness and charity.

Present Law: Discrimination against blind persons in employment is often poorly or not at all addressed by federal and state laws. While some legislation to prohibit employment discrimination does exist, the result so far has been a patchwork system containing diverse and often conflicting policies and regulations. Employers are confused, and so are the blind who seek opportunities.

The first laws (commonly known as "White Cane Laws") were enacted at the state level, and these are ordinarily based on a model developed by the National Federation of the Blind more than a decade ago. The next advancement occurred when several states passed laws concerning handicapped people along with the other minorities and women protected by Civil Rights statutes. In 1973 the Congress entered into the picture by including three provisions related to employment discrimination against handicapped persons in the Rehabilitation Act. These are Section 501 (requiring federal agencies to establish affirmative action programs for handicapped applicants and employees); Section 503 (requiring federal contractors and subcontractors to take affirmative action in order to employ and advance qualified handicapped individuals); and Section 504 (prohibiting all forms of discrimination against handicapped persons by recipients of federal financial assistance and in federal programs). In 1978 the Congress took further action to strengthen these antidiscrimination laws by specifying that the rights and remedies under Title VI of the Civil Rights Act of 1964 would also be available to victims of discrimination prohibited by the Rehabilitation Act.

These federal and state laws are important but limited in scope and effectiveness, and so far enforcement has often been slow; nor is there a single agency in the government to oversee enforcement of these laws—the system is complex and bureaucratic. For example, the Office of Federal Contract Compliance Programs (OFCCP) in the U.S. Department of Labor (DOL) is responsible for enforcing the Affirmative Action requirements which cover federal contractors, while every other federal agency which extends federal financial assistance also maintains authority to

enforce anti-discrimination regulations which cover employment practices of federally assisted programs and activities. This system is bewildering to persons having claims of employment discrimination—which federal agency has jurisdiction; that is the question. Furthermore, the thousands of employers who engage in interstate commerce but do not operate under federal contracts or receive federal grants are generally not covered by the current constellation of laws, thus there is no clear remedy available when discrimination occurs.

Need for Legislation: Enactment of equal employment opportunity legislation to protect the blind and other handicapped persons from employment discrimination is essential in order to insure that these potentially productive citizens will be able to contribute their talents and energies as equal partners in our nation's work force. The principal objective should be to establish a firm legislative mandate against employment discrimination which places potentially employable and independent citizens among the ranks of the unemployed and dependent, leaving them at the mercy of our nation's welfare and social services systems.

The present laws prohibiting discrimination on the basis of handicap offer inadequate protection against employment discrimination, and often, although business and industry have a strong desire to cooperate, the requirements of both federal and state agencies conflict to such an extent that their expectations are confusing and contradictory. Moreover, most work situations are not covered at all by federal or state laws. For example Section 503 of the Rehabilitation Act applies to approximately 300,000 federal contractors and subcontractors, whereas more than 700,000 employers, operating in the private sector

without federal contracts remain substantially free from any obligation to avoid discrimination against blind and handicapped persons. Compounding the problem, recent court rulings have held that Congress did not intend to prohibit employment discrimination against the handicapped when it enacted Section 504 of the Rehabilitation Act, which requires that federal programs and federally assisted programs operate without discrimination on the basis of handicap.

In short, under current law, there is no generally applicable prohibition against employment discrimination on the basis of handicapping condition. Title VII of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of race, color, religion, sex, or national origin; but it provides no protection for disabled workers. The blind as a group have long worked to gain the status of equality and to organize public assistance and rehabilitation programs which are directed toward offering a hand up to productive employment, not merely a handout along with meaningless exercise. The Congressional Budget Office has estimated that the cost of enacting equal employment opportunity legislation in this area would not be significant, with only a modest increase in expenditures of the Equal Employment Opportunity Commission (EEOC) for compliance enforcement activities.

FACT SHEET

IMPROVED DISABILITY INSURANCE FOR THE BLIND

H.R. 3607, S. 1514—Purpose: To amend Title II of the Social Security Act so as to

liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder.

Legislative History: H.R. 3607, designed to provide improved disability insurance for the blind, has been introduced in the House of Representatives by The Honorable William Lehman of Florida. S. 1514, an identical bill, has been introduced in The United States Senate by The Honorable Spark Matsunaga of Hawaii. The Disability Insurance for the Blind bill, which has passed the Senate seven times, was first offered in the 88th Congress by Senator Hubert Humphrey. Senator Vance Hartke introduced the bill in the 90th Congress whereby the House-Senate Conference on Social Security matters made the generally accepted definition of blindness (20/200 etc.) the standard for visual loss under the Disability Insurance program. Offered again in the 91st Congress, the Committee on Ways and Means adopted a portion of the proposed Disability Insurance for the Blind bill removing the "five out of the last ten years" work requirement which had previously applied to the blind and disabled alike, making 30,000 otherwise ineligible blind persons eligible for Social Security disability benefits. Subsequent to this, the bill passed the Senate several times in succeeding Congresses, and in the 95th another step toward full enactment was taken when the Substantial Gainful Activity Test (earnings limitation) for blind Disability Insurance beneficiaries was established by law at the monthly dollar amount which persons who retire at age 65 are permitted to earn without decreasing their retirement benefits.

Provisions: (1) Allows qualification for disability benefits to the person who is blind, according to the generally accepted definition of blindness (20/200 etc.) and who has worked six quarters in Social

Security-covered works.

(2) Continues payment of benefits irrespective of earnings so long as blindness lasts, rather than cutting off benefits if the blind person earns as little as \$500 in a month, as provided in existing law.

Reasons for Adoption: (1) Reducing the work requirement is more equitable for blind persons since because of employer reluctance to hire them the blind often cannot accumulate the necessary quarters of coverage. They are victims of the last hired, first fired syndrome.

(2) Present law keeps blind people and those who become blind out of the work force. Blind persons who seek work do so at the risk of economic disaster since their wages are often less than their disability benefits, and there is no certainty that their employment will continue. Many do not work as a result.

(3) Severe economic consequences accompany blindness. Earning power is usually cut in half, and wages must go for hiring readers, drivers, or for purchasing costly devices. The blind did not create the negative attitudes of employers which keep them from responsible, better paying jobs; but through their lost wages, they pay for this second-class treatment. The costs of blindness should be spread across society as a whole.

(4) Reduction in welfare payments to the blind would occur if this proposal is adopted. After adoption of this measure, most blind people eligible for Supplemental Security Income (SSI) and other welfare payments would eventually transfer to this new program. Seventy-five thousand blind people would likely become ineligible for SSI, thus there would be a cost savings in general revenues.

ISSUES AND RESPONSES

Issue: Cost

Congressional Budget Office most recent estimate: \$310 million, first year, \$760 million, fifth year; Social Security Administration: twice the amount of the CBO estimates.

Response: The cost estimates provided so far are questionable on several counts, primarily in their failure to understand the blind population. A more thorough investigation of this group would result in substantially lower cost figures. Consider the following analysis: There are about 475,000 legally blind persons (and this number remains stable). Half of these are over age 65. Thirty-one thousand of the remainder are children (under age 18). Of the remaining 206,500 working age blind, 166,000 are already receiving either disability insurance payments or SSI, and therefore they would not be new beneficiaries with adoption of this bill. (These are blind persons, who if they are working, are earning less than \$500 per month). Because of other circumstances (for example, blind people who have sighted, working spouses), probably another 10,000 of the remaining 40,500 would also continue to be ineligible for disability benefits. This leaves only 30,500 blind persons who are working and earning more than \$500 per month, and these people would be the potential new beneficiaries.

The most important provision of this bill is to remove the earnings limit. This would provide the greatest possible work incentive for 166,000 blind persons who are now receiving Disability Insurance and SSI payments. These people will be stimulated to join the labor force (and thus begin paying

into general revenues and the Social Security trust fund). This income (which has not been estimated by Social Security) would reduce the already low cost of this bill.

Issue: "This is a good thing for the blind; but if we adopt this provision for them, we will have to adopt it later for all the disabled; and the system cannot afford that."

Response: Laws should focus on the unique problems which people have; and the barriers the blind face are more specifically economic than the barriers facing other disability groups. Other groups have major problems with architectural or other physical barriers, or frequently a physical or mental inability to compete at all in the job market. The blind are able to work, and can compete in most jobs on an equal basis with the sighted. But they are prevented from doing so by negative employer attitudes. A Gallup poll showed that Americans fear blindness more than any other handicap, and this means that the blind—although the most able of the handicapped groups to hold jobs—are the last to be hired and the first to be fired. In addition, the costs incidental to working (such as readers, drivers, or technical devices to replace sight), added to the uniformly lower wages the blind are paid, often make it economically unfeasible for the blind to go to work. Other disability groups have far more pressing problems than this economic disincentive (problems requiring different kinds of solutions); but this bill will help to remove the major barriers the blind of this nation face, and will allow them to join the mainstream of our economic and social life. It is a very specific solution to a specific problem facing the blind.

JOB OPPORTUNITIES FOR THE BLIND

Fact Sheet

The Job Opportunities for the Blind Program (JOB) is operated by the National Federation of the Blind in partnership with the U.S. Department of Labor. JOB is a listing and referral service for blind job applicants.

- JOB:* produces and circulates the *JOB Bulletin, Applicant's Edition* on cassette to blind job applicants.
- JOB:* provides special materials to deaf-blind applicants in Braille.
- JOB:* produces and distributes the *JOB Bulletin, Employer's Edition* in print to help prospective employers and hiring personnel learn about blindness and blind people at work.
- JOB:* also produces and distributes public service radio announcements on blindness, and the ability and desire of the blind to work, and about laws and regulations pertaining to the employment of the blind.
- JOB:* selects and reproduces in recorded form materials (some publications of the Department of Labor) and distributes these to blind job applicants.
- JOB:* receives listings of positions that are open throughout the country and refers them to applicants who are qualified to fill the positions.
- JOB:* conducts seminars for blind and deaf-blind applicants to help them learn about their rights, improve job search skills, become knowledge-

able about laws and regulations pertaining to employment of the blind and to encourage them in their search for work.

JOB: holds workshops for employers and prospective employers of the blind to help them to understand the reasonableness of hiring the blind in a wide variety of positions.

Hiring the blind is *REASONABLE*, *PROPER* and *NECESSARY*. It is time for America to recognize the blind as a competent and energetic minority in our midst.

GOOD LAWS ENCOURAGE IT!

GOOD SENSE RECOMMENDS IT!

GOOD BUSINESS DEMANDS IT!

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Dial Direct (301) 659-9314

Blind Persons at Work

The following is a list of some of the types of positions in which blind persons who have received assistance from JOB are now working. Of course, this does not represent all of the types of jobs blind people can do or are doing. It is merely a sampling. We have listed positions, and in many cases several persons have found work in positions that are somewhat similar. The variation of skills and backgrounds

required of persons to work in these positions is abundant. Thousands of blind persons who are equally well-qualified in as many diverse fields are still looking for work.

Administrator
Advocacy Coordinator
Assembly, Electronics
Assembly, General
Chaplain
Child Care Assistant
Collections Officer
Computer Programmer
Cosmetologist, managing three shops
Counselor, Adolescent
Counselor/Coordinator,
 Business Enterprise Program
Counselor, College
Counselor, Housing Complaints
Counselor, Rehabilitation
Counselor, Others
Dispatcher
Dog Groomer
Employment Development Specialist
Engineer, Electrical
Equal Employment Officer
Estate Analyst
File Clerk
Fundraiser
Handicapped Service Coordinator
Hotline for 504 Coordinator
Information Clerk/Specialist
Janitor
Labor Relations Specialist
Lawyers
Legislative Aid
Masseur
Mobility Instructor
Nutrition Education Coordinator
Occupational Health & Safety Specialist
Pharmacist
Photo Finish work
Placement Aid for the Blind
Professor of Psychology

Quality Control Specialist
 Radio Reading Services,
 Assistant Manager
 Research Analyst
 Router at bank
 Sales, Executive
 Sales, Retail
 Sales, Telephone
 Social Worker
 Systems Planning, hospital
 Supervisor
 Teachers Aid
 Teacher, Rehabilitation
 Teacher, Resource/Itinerant of
 blind children
 Teacher, Spanish
 Telephone Operator
 Typists, Dictaphone
 Typists, Mag Card II
 Typists, Receptionist
 Typists, Word Processor
 Volunteer Services Coordinator

FACT SHEET

VOTING RIGHTS FOR THE BLIND

Background: According to the most reliable statistics, there are approximately 465,000 blind persons of voting age in the United States. In addition, as many as 1.3 million other citizens have significant visual limitations to the extent that they may have difficulty marking ballots or using voting machines. In order to participate comfortably and with ease in our electoral process, these voters must be entitled to assistance from other persons.

Historically, most states and political subdivisions have provided for the possibility that some voters will be blind or visually impaired and require assistance. Generally speaking, it became common practice for

judges of election or other election officials from each party to assist the blind by reading and marking ballots. This procedure was also designed to protect against the presumed possibility of voter manipulation, which it was felt might take place under the guise of providing assistance to the blind. Thus, upon appearing at a polling place, a blind voter asking for assistance would be accompanied into the booth by the required number of election personnel—each on hand to be sure that the other would not cheat, and all being present for the alleged purpose of protecting the blind voter against manipulation or other fraudulent conduct.

These forms of assistance to and protection of the blind were in use almost universally throughout the United States until the early 1960's. Then, blind citizens began publicly to object to these procedures, branding them as overprotective and even custodial. These objections were the natural outgrowth of a more independent-minded and self-assured approach to blindness arising from within the ranks of the blind, themselves. The result was that several states and political subdivisions chose to change their election laws. The National Federation of the Blind helped to guide these legislative and policy modifications, with the idea that blind voters should be given free choice in designating voting assistants. Also, the Federation argued that the act of voting should be performed privately by each blind person with an assistant. This requirement was designed to avoid intruding upon every blind person's right to cast a secret ballot.

Proposal for Senate Action to Amend the Voting Rights Act: Logically, voting assistance for the blind and visually impaired is a proper subject for the Voting Rights Act of 1965, as amended, enacted by Congress to eradicate those practices which

were being used to discourage or to block participation in elections by persons belonging to racial and ethnic minorities. In a very real sense, the custodial procedures of assisting and monitoring the blind in voting discriminate by infringing upon the secret ballot right and by discouraging blind persons from voting out of the realistic fear of being intimidated by onlooking election officials.

To protect the blind and visually impaired against the possibility of voter discrimination, an amendment has been prepared to be offered in the Senate during consideration of the Voting Rights Act Extension Bill. The amendment adds a section entitled "Rights of Blind and Others with Limited Vision" to Title II ("Supplemental Provisions") of the Voting Rights Act of 1965. Adopting this amendment would place a new Section 204 in the Act and redesignate the present Sections 204 through 207 as 205 through 208, respectively.

If enacted, the amendment would require states and political subdivisions to have procedures which will allow blind and visually limited citizens to register and vote under alternative methods. The purpose of the amendment is to place alternative methods of voting for the blind on a firm, legal foundation. While states and political subdivisions are given discretion in fashioning alternative procedures, any person who requires assistance because of blindness or a visual limitation is entitled to choose the assistant and to vote in privacy with the aid of such assistant. Moreover, there is a requirement that voter information and materials produced by any state or political subdivision for the benefit of the general public be available in alternative forms designed for persons unable to read such materials which are published in ink print. This requirement, too, has built-in flexibility, providing room for local option in

determining the types of materials to be transcribed and the forms of such transcriptions. More specific mandates than those contained in this amendment would be unnecessarily rigid and undesirable.

Beyond the specific provisions outlined above, the amendment has the general value of underscoring the voting rights of blind citizens and others who have visual limitations to the extent that they find it necessary to vote by means of an alternative method. It is important for Congress to take this step on behalf of these citizens, since many of them tend to remain away from the polls in fear of having difficulty with the mechanics of casting a ballot. Others are concerned about having their votes witnessed by election authorities, and still others are apprehensive about the possibility of confrontations with election officials when they insist upon naming a personal assistant. This amendment will substantially eliminate the voting problems faced by the blind and alleviate many of the worries about participating in the electoral process which have existed among this population.

Views of the National Federation of the Blind: It is the position of the National Federation of the Blind that the Senate should act favorably on the alternative voting methods amendment during the upcoming consideration of the Voting Rights Extension Bill. The importance of this is underscored by a House-passed provision in H.R. 3112, referred to as the "Fenwick Amendment." The Fenwick Amendment (included as Section 4 of S. 1992, the latest bill introduced with cosponsors to extend the expiring provisions of the Voting Rights Act) is intended to foreclose the possibility that voters might be observed and thereby intimidated by election officials. Mrs. Fenwick had the forethought to provide for the possibility that some voters

(the blind included) might want assistance, so her amendment permits such voters to be accompanied in the booth.

The Fenwick Amendment does not seek to remedy the voting problems experienced by the blind, yet, from a technical point of view, it can be a ready-made foundation for building substantive law to assure all blind persons the right to vote by means of alternative methods. The point should be underlined that the Fenwick Amendment does *not* provide affirmatively for these alternative methods, nor does it foreclose the possibility of blind persons being assisted.

This is precisely where a Senate amendment must be targeted. Whereas the Fenwick Amendment would only "permit" assistance for the blind, the Senate amendment being suggested would "direct" every state and political subdivision to provide for alternative methods of voting by the blind and would further spell out some minimum requirements.

In its present form, in both the House and the Senate bills, the Fenwick Amendment is cause for grave concern among the blind. This is because strange things begin to happen when uninformed election officials are turned loose to follow a general directive such as that contained in the Fenwick Amendment. It is expected, for example, that some will interpret this provision as requiring election officials to protect the blind from unsuspecting manipula-

tion by an assistant in the polling booth. This interpretation would not be far-fetched in view of the purpose of the Fenwick Amendment; hence, the "protection" of the blind would likely take the form of extreme custodialism. The Fenwick Amendment thus raises the possibility that election judges will be encouraged to observe blind voters for the ill-conceived purpose of protecting them. There is nothing in this provision to prevent this.

A simple amendment to Section 4 of the Senate bill will help to avert the threat this section poses in its present form. In fact, this could be done as a logical extension to the currently drafted provision. It is inconceivable that the dangers of the Fenwick Amendment, embodied in Section 4 of the Senate bill, can be overcome by clarifying report language or by a colloquy on the Senate floor. This is not merely a matter of correcting the record. It is a matter of enacting substantive law which can help to avoid any confusion later in the courts.

For more information
please contact:

James Gashel
Director, Governmental Affairs
National Federation of the Blind
1800 Johnson Street
Baltimore, Maryland 21230
(301) 659-9314

MORE TROUBLES AT THE IOWA COMMISSION FOR THE BLIND

Under date of December 23, 1981, Peggy Pinder (President of the National Federation of the Blind of Iowa) sent a letter to the Federated Club Women of Iowa, the

Iowa Lions, the members of the National Federation of the Blind of Iowa, and the members of the Iowa Legislature. She laid it on the line concerning recent develop-

ments at the Iowa Commission for the Blind. Her letter gives emphasis to the continuing deterioration of that once powerful and service-oriented agency.

As you read the following letter, keep in mind that John Taylor, the Commission Director, has been turning large sums of money back to the State at the end of each year for several years. He could have used these funds in a variety of ways: to keep the level of appropriations higher, to purchase materials so that an ample stock would be available, or for increased services of equipment.

Also, he might have negotiated aggressively with the federal government to prevent the reduction of federal funds available to the library. Federal officials were involved in working out the formula over the years and agreed to it in writing. It is the same library as it was then. It is also the same Commission, the same federal officialdom, and the same basic federal law. One thing is new: the Commission Director—John Taylor. What would have happened if he had worked imaginatively and aggressively, not only to keep the federal funding for the library at the same level but to increase it? The test of a thing is whether it works. What Mr. Taylor has done with respect to the library, the securing of federal funds, and the overall management of the Commission program has not worked. The National Federation of the Blind of Iowa is doing what it can to see that the Commission program is not destroyed. Here is the letter from Peggy Pinder:

Sioux City, Iowa
December 23, 1981

Dear Supporter of Quality Services for Blind Iowans:

Did you know that very soon there may be no textbook service from the Iowa Com-

mission for the Blind? Are you aware that on December 9, 1981, Commission Director John Taylor recommended a plan for laying off virtually all of the staff members concerned with producing and processing textbooks in Braille, large type, and recorded form? Did you know that the Commission Board approved this plan so that some layoffs have already begun and others may occur (at the sole discretion of the Director) any time after January 1, 1982?

In December, 1979, the Federal Government told John Taylor that changes would be necessary in the formula for funding the library; he failed to provide timely answers to their requests for proposals to justify the amount of Federal support. In March of 1981 the Federal Government reminded him that, even though agreement on a new formula had not yet been reached, the reduction in library funding would be effective as of October 1, 1980. With continued slow responses by Mr. Taylor, this problem has not yet been resolved. Nevertheless, a reduction of well over \$100,000 per year is now in effect.

This has happened at the same time that a policy of the Social Security Administration has changed. Instead of paying in advance for rehabilitation of blind Social Security (SSDI and SSI) recipients, payment will now be made after they have been working for a time. This has resulted in a one-year reduction of \$287,000 in Federal funds available to the Commission.

John Taylor has requested a supplemental appropriation of only \$110,000 to cover the anticipated shortfall in Federal money. While he has made a passing effort at informing the Governor, and an even smaller effort at keeping the legislature informed, he has not informed the Lions, the Federated Womens Clubs, educators of blind children, organizations of the blind and individual blind people, and other long-

time supporters of good services for the blind.

Rather than request an adequate amount of money from the legislature to solve the problems, or aggressively seek other alternatives, he has undertaken to cut back the Commission's programs.

Over the past year and a half, he has been excessively slow about filling vacant staff positions. His excuse has been the Governor's hiring freeze; but the record shows that slow requests for waivers from the freeze have actually been the cause. This problem became so bad that the Commission Board had to step in and demand a monthly report on his requests for waivers.

On December 9, Mr. Taylor proposed to the Commission Board a two-phase program of layoffs and hiring freezes. (See enclosure.) All freezes listed have already taken effect, and the notice of some of the layoffs has already been given. The remainder of the layoffs are to occur at the Director's discretion if the legislature does not grant an additional \$110,000 appropriation. The list as a whole is appalling, and there is an astonishing sequence of priorities. Item #9 is the layoff of the "Librarian I, Instructional Materials Center," described as having impact such that "reorganization of units would merge supervisory responsibility." Yet this position is Lorraine Rovig, the experienced and efficient librarian who for six years has competently headed the textbook service for the blind and physically handicapped, and is the *only* person thoroughly familiar with the entire Instructional Materials Center operation and all of its ramifications. Two of her assistants are scheduled to be laid off *after* her, and only then does the Taylor proposal admit there would be a "significant reduction in provision of texts in appropriate medium to blind students."

Although the Department of Public

Instruction could, if forced, move most textbooks for high school and below to some other location, many advantages of the present arrangement would be lost—integration with the largest library for the blind in the world; extensive arrangements for duplication of books in various media; a large number of trained staff and volunteers; appropriate telephone and mailing arrangements; "one-stop shopping" for cassette players, talking book machines, consultation on blindness, and many other services; etc. Furthermore, college students and other adults have *no* alternative at all: The Commission has the entire responsibility for their book service.

The National Federation of the Blind of Iowa is shocked that the Board that was appointed by the Governor to oversee the administration of the Commission for the Blind would allow priorities to be set in such a way that the Instructional Materials Center for students and the bulk of the Braille library services are so close to being wiped out.

It is notable that only Richard Crawford, the only *blind* member of the three-person board, made any substantial objection to this proposal for the dismantling of the library. He objected so strongly he refused to second the proposal for discussion and voted against the resolution. However, chairman Nolden Gentry and member Arlene Dayhoff made no comments showing deep concern for the blind individuals who would no longer have book service; instead they approved the layoff list without much discussion of alternatives. A cassette copy of the board meeting is available from the Commission if you would like to judge the words and tone of the discussion yourself.

Mr. Taylor and his assistant, Anthony Cobb, told the Board that if currently vacant positions were frozen, but the lay-

offs in the second phase of the plan did not take place, the Commission would be only about \$22,000 short in state funds this year. In its two Gifts and Bequests funds the Commission has a total of approximately \$180,000, which could easily be spent to make up the deficit; but the administration does not want to spend it.

Mr. Taylor and Mr. Cobb say that the causes of this crisis are cuts in the Social Security Trust Fund reimbursements, a failure of the Federal Government to support salary increases, and tighter Federal restrictions on the use of vocational rehabilitation money. However, if the first is true, the cut should be in the rehabilitation department where the money is spent; if the second is true, the cuts should be spread evenly across the entire program; if the third is true, the cuts should not be in the Instructional Materials Center, where Federal funds are still available and where school funds could be made available. In other words, none of these arguments explain why severe cuts need to be made in the Instructional Materials Center.

Then, why was the Instructional Materials Center selected for the axe? Can it be that it is an underhanded effort by Messrs. Taylor, Cobb, and Gentry to coerce the legislature into giving the appropriation, by manipulating those most deeply affected—blind people, teachers of the blind, volunteer transcribers, parents of blind students, Lions, and others?

As with most public agencies today, some cuts must be made somewhere. We are saying the proposed cuts are so detrimental to the blind that they cannot be allowed to take place.

What can be done?

You can contact the Governor, state senators, and state representatives. You can pass this information along to blind and physically handicapped students of all

ages, to their parents, and to other interested persons. Please note that the Commission is *not* notifying consumers about this crisis, and that this letter comes to you at the expense of the National Federation of the Blind of Iowa, a group of blind Iowans deeply interested in quality services for the blind.

What can the Governor and the legislature do? (1) Provide the full amount of the supplemental appropriation requested by the Commission; (2) make it clear that library service, especially textbook and other material procurement services for the blind and physically handicapped, shall not be cut; (3) make it clear that the Commission Director is expected to deal aggressively with the Federal Government concerning funding, and is expected to keep the Governor, the legislature, and the public informed about the program; (4) instead of reappointing and confirming Nolden Gentry, whose term expires this year, appoint someone who will understand the needs of the blind and work with blind consumers to end the deterioration in the Commission program; (5) make it clear that the legislature will not tolerate the necessity for dealing with problems which should be solved by the Commission Director.

One final word of caution: If you contact John Taylor or Anthony Cobb about this sorry plan, they will probably try to play down its importance and say that the layoffs really won't occur. They may also try to evade the issue by changing the subject—one of their favorite subjects is direct and oblique attacks on the National Federation of the Blind and its members.

Sincerely,
Peggy Pinder, President
National Federation of the
Blind of Iowa

COMMITTEE ON PARENTAL CONCERNS

by *Kenneth Jernigan*

One of the most active groups in the Federation today is the Committee on Parental Concerns. In conjunction with the Teachers Division, it will hold a seminar as part of the national convention this summer. The seminar will take place at the Leamington Hotel Saturday, July 3. All are invited.

In the meantime the Committee on Parental Concerns is publishing a Newsletter—one of the best done, most imaginative, and most effective projects we have yet undertaken. For further information or to subscribe, contact: Mrs. Barbara Cheadle, Editor, *National Federation of the Blind Newsletter for Parents of Blind Children*, Box 552, Jefferson City, Missouri 65102. There is no charge for a subscription to the Newsletter, but donations are not only accepted but also encouraged.

I have just received the second issue, January, 1982; and it is superb. We are reprinting in this issue of the *Monitor* the article from the Newsletter entitled "I remember" by Mary Ellen Halverson.

Back in the long ago, Mary Ellen was a student at the Iowa Orientation Center (when it was a totally different place from what it is now), and many are the conversations and discussions we had. She represents a generation of blind people and a way of thought about blindness which

constitute the greatest assurance we have that the years ahead will be filled with hope and promise for the blind. The process of understanding, maturity, self-confidence, collective action, and determination cannot (once it comes into being and begins to grow and feed upon itself) be reversed or turned off. In the hands of the Mary Ellen Halversons the future of our movement and the aspirations of the blind are safe.

And something should also be said about Barbara Cheadle, the Editor of the Newsletter. She is sighted, but she is truly one of us—sharing our triumphs, mourning our losses, and standing with us in the battle. She is quiet and soft-spoken, but that can be deceiving. She is also unflinchingly honest, unstoppably determined, and thoroughly dedicated to seeing that the blind have equal opportunity and a chance for first-class citizenship. In other words she is (with all that the word implies) a Federationist.

The Newsletter of the Committee on Parental Concerns will have a great impact on the lives of the coming generation of blind people, and it will also have an impact on the here and now. We should make a sustained effort to see that it gets into the hands of every parent in the nation with a blind child.

I REMEMBER

by Mary Ellen Halverson

Reprinted from the *National Federation of the Blind Newsletter for Parents of Blind Children*, January, 1982

(Editor's Note: Mrs. Halverson graduated from the University of Iowa with a major in Spanish. She has taught Spanish in the elementary schools and is now a full-time wife and mother and an active volunteer in the NFB and in her children's school.

Husband, Raymond, is the Executive Assistant to the Director at the Idaho Commission for the Blind. They have two children: Mathew, age 10 and Holly, age 6.)

When I look back on my high school years and consider all of the negative ideas I absorbed about blindness, I really wonder how I survived with any self respect left at all. I'm sure one reason I did is that I had a very positive, supportive family who believed in me and expected me to do well in school and other activities. Fortunately, in my first year of college I met several young active blind students who began the process of teaching me a whole new attitude about blindness.

I began losing my sight in junior high due to a disease in the retina. When I had long reading assignments, my parents would read them to me in the evening. Many times I had difficulty in reading the blackboard or tests, but I struggled along. I can remember worrying about tests—not about the subject matter to be tested, but about the quality of the mimeographed pages of the test. I knew that frequently the print was faded or blurry and I was reluctant to use a magnifying glass in front of my fellow junior high students. Some teachers were very helpful, but others seemed not to notice or not be especially concerned. I preferred as little discussion on the matter as possible. Neither my parents nor I realized that by eighth or ninth grade I was definitely legally blind. We told ourselves and others that I just had

a "sight problem."

By the time I entered high school, I had lost a little more sight and was enrolled in the Sight Saving program in our school district. My parents and I were quite relieved since this program provided books on tape for me, and a lot of material in large print. There were different types of magnifiers available, and such things as large print dictionaries. However, the only skill I was actually taught by one of the sight saving teachers was typing; which is a valuable skill to have. I attended my regular high school classes in the morning and then went to a resource room for the afternoon. At first, this room was in an elementary school which I found rather embarrassing. I traveled there every day with several other students by cab. Eventually the resource room was moved into the high school which was an improvement.

I remember the first day I met the sight saving teacher, who was a very kind, well-meaning person. Right away she told my family and me that "we never use the word 'blind', we say, 'partially sighted'." This suited us quite well since the word "blind" conjured up terrible and frightening visions in our minds. She further reassured us that I would not have to learn Braille, but could use large print books. I should tell you right here that in order for me to read even

the large print, I had to put my face right down on the page and even then, I could only read several letters at a time. I can remember spending three hours trying to read a chemistry chapter in a large print book one evening. I imagine my fellow students read and studied the chapter in thirty minutes. Although we didn't realize it at the time, Braille would have been much more efficient and faster for me to use. Braille is not an inferior reading system, and can be easily learned.

Another area which caused me some anguish was traveling about both in the school building and outside. It was especially hard to see the down stairs, and I could not read the room numbers. When I approached the stairs I just slowed down and probably looked rather awkward. I developed my own techniques for finding the right room, such as the second room past the drinking fountain or the room next to the main front door. I did not attend many school or social activities at night because I could not see after dark. My excuse to people was usually that I had to study. Therefore, I missed out on dances, dates, and sports events; all of which are an important part of high school life. Now I know that this area of travel could have been solved so easily with some training in the use of the long white cane. However, this would not have been successful without some changes in my attitude first. It would have been essential for me to believe that it was respectable to use a white cane. I'm absolutely sure that the resource teachers would have frowned on such ideas. They felt it was best to use one's remaining eyesight as much as possible, even though it was often far less efficient and more painful than alternatives such as Braille and cane travel.

I am now convinced that the key to being an independent, successful, and

happy blind person is your attitude about yourself. Along with attitude, but secondary, you must also learn some skills like typing, Braille, cane travel and other techniques that will work for you. During my high school years I had neither the positive attitude about myself nor the skills. I suppose the sad part is that there was no one to teach them to me. My classroom teachers were sympathetic for the most part, but they could offer no real encouragement or worthwhile advice concerning blindness. In some of my classes I felt that I was a nuisance to the teacher. I was very apologetic when I had to ask to have something read from the blackboard or from a test. You can imagine what this did for my self-esteem! It was also embarrassing to me to read and write in the classroom because I had to get so close to the paper. A student in one class made a remark I have always remembered. I was writing answers to a quiz and he said, "Now, that's the direct approach." Another blow to one's self-respect! Until this writing, I have never told anyone about that painful comment.

By now I'm sure you can understand how all of these experiences can cause a young person to feel very inferior to her peers. Even though my grades were high my self-respect was low. Of course, I did not realize this at the time. I should add here that my high school experience was not totally gloomy. I did have a good group of friends, some very cooperative teachers, and a terrific family. I graduated high in my class of 528 classmates and went on to the University. I entered college prepared to struggle on as before, but the unexpected happened.

I met several well-adjusted, confident blind students who had received training in the skills of blindness and had acquired that all-important attitude I mentioned earlier. They knew without a doubt that

they were equal to anyone and they were willing to take on their share of responsibilities both in school and any other area of life. They also had another thing in common—they were members of the National Federation of the Blind and met for monthly meetings. At first I tried to avoid these meetings since I did not wish to admit that I was blind. But on the other hand, I liked these friends personally, and I wanted the same confidence and freedom they possessed.

After a couple of years of college I attended an Orientation and Adjustment Center which taught skills and began the long process of improving my attitude toward myself and my blindness. It was,

beyond a doubt, the most valuable year of my life. Very few places and very few people can restore a person's self-dignity and respect so effectively.

Sometimes I think about how those teenage years might have been. I also think about the young people who are living my experiences right now, and about their parents who are worried and don't know what to do. If this article reaches you and helps any of you in one small way, those years of worry and embarrassment will have all been worth it! Parents, your children who are partially or totally blind, do have the opportunity to become independent, happy and successful individuals. It is respectable to be blind.

REGARDING IRS AND THE BLIND

COMMENT FROM HAZEL tenBROEK

Bainbridge Island, Washington
January 25, 1982

Unfortunately, old concepts, unlike old soldiers, do not fade away. They are persistent obstacles to the integration of the blind into the general society. The NFB has done much to aid in their eradication—but there is a long way down that road to equality yet to travel.

Just a few minutes ago on the CBS "Morning" program in reporting changes in the IRS system to aid individuals with their income taxes it was announced that such aid would no longer be available to everyone but would remain available to "the blind, the illiterate, and Members of the Congress." The conjunction of those three groups might be amusing if it weren't so sad.

RECIPES OF THE MONTH

BAVARIAN BEEF BURGUNDY

by Marshall Mayry

- Ingredients:**
- 1 lb. beef sirloin, cut into thin strips
 - 2 tablespoons margarine
 - 1 cup sliced mushrooms
 - ½ cup chopped onion
 - 1 pkg. Kraft Brown Gravy Mix or Kraft Beef Stew Seasoning Mix
 - 1 pkg. Kraft Sour Cream Sauce Mix
 - 1½ cups water
 - ¼ cup Burgundy
 - ¼ teaspoon dill weed
 - Hot cooked spätzle

Directions: Brown meat in margarine. Add mushrooms and onion; cook 5 minutes. Blend in remaining ingredients, stirring until thickened. Serve with spätzle. (4 Servings).

NOTE: For best results, I use one teaspoon of dill and one cup of burgundy.

SOUR CREAM COFFEE CAKE

by Sharon Omvig

- Ingredients:**
- 1 box Duncan Hines Butter flavor cake mix
 - ½ cup sugar
 - 2/3 cup cooking oil
 - 8 oz. commercial sour cream
 - 4 eggs

Directions: Mix well. Pour half of batter in a large greased cake pan. Mix 4 tablespoons of brown sugar and 2 tablespoons of cinnamon. Sprinkle on top of the ½ batter. Then add rest of batter on top of sugar mixture. Bake 1 hour at 350 degrees. Let cake cool in pan, then remove.

MONITOR MINIATURES □ □ □ □ □

□ Piano Tuning Tools Available:

Alice Livermore of San Pedro, California, has donated to the National Federation of the Blind the piano tuning tools of her late husband. They are in excellent condition and will be given by the Federation to a worthy recipient. We will probably have several applications. Therefore, a committee will be appointed to decide who should receive these tools. They will be given without any charge. Address communications to: Piano Tuning Tools, National Federation of the Blind, 1800 Johnson Street, Baltimore, Maryland 21230.

□ Central Minnesota Chapter:

In October of 1981 the Central Minnesota Chapter of the National Federation of the Blind of Minnesota (St. Cloud and surrounding areas) held elections: President, Andrew Virden; First Vice President, Lavern Kipka; Second Vice President, Tom Spanior; Treasurer, Marilyn Guenther; and Co-Secretaries, Diane Youngman, and Mary Beth Moline. Marilyn Guenther and her husband Al are the proud parents of a new baby girl. Andy Virden reports the death of two Chapter members: Mrs. Lucey Reese and Sister Jude Godphrey. Sister Jude was killed in a street-crossing accident.

□ Dick Edlund Surgery:

Thursday evening, January 28, 1982. National Treasurer Dick Edlund entered Lutheran Trinity Hospital in Kansas City, Missouri, for cataract surgery. The following morning he said to President Jernigan: "I'm doing fine. I told the doctor I had to be out of here to come to the March on Washington, but I guess I won't be able to come tonight as I had planned. I will have

to wait until Sunday, but I will be there for the opening session." In other words Dick came through the surgery well and is not even interrupting his activities because of it.

□ Hugh Koford Dies:

It is with sorrow that we report the death of Hugh S. Koford of California. Many Federationists will remember Hugh from the 1950's and 60's when he served as our attorney. Before that, he was one of Dr. tenBroek's students in college. In the 1970's he was a judge, having been appointed to that position by Governor Ronald Reagan. When he left the bench in 1980, he began once more doing legal work for the Federation. He was especially involved in handling the California lawsuit with the Acosta faction. He has attended Federation conventions and was personally known and loved by many Federationists throughout the country. He had been in failing health for several months. Early in January of this year he suffered a stroke and died. We mourn his passing.

□ From Richard Chapman of Connecticut:

There has been one radio station (WPOP by name) here in Hartford which has broadcast some of the recent NFB spots. Not only that, but some JOB PSA's have been aired. These spots have not been aired late at night or at four on a Sunday morning in between religious programming, the way it is done on many other stations. The announcements have been aired during major sporting events, at a time when most broadcasters would be more willing to get paid advertisements aired. I am a Boston Celtics basketball fan and during the past three weeks during actual games when there have been "cutaways" on the local level, NFB announcements have been on

five times. That, I think, is impressive. Not only that, but, as a CBS radio network affiliate in Hartford, WPOP has broadcast their share of football playoffs in the NFB and AFL. You guessed it. During one of the last playoff games, along with a local paid commercial during a network break, along came an NFB spot. Again, very impressive I think. I plan on Monday to call the station. Also, I plan to write a letter as one Federationist in appreciation.

□ From Byron Sykes:

The decade of the baby has hit Greensboro, North Carolina. Yesterday (January 16, 1982) Bill and Cara Lenfestey became the parents of their third child—a girl, Sara Catherine. She came into this world weighing 6 pounds, 14½ ounces. As I am writing, all are doing fine.

□ From New York:

David Stayer reports that Arthur Weinstein filed a complaint against the New York Commission for the Blind because they terminated their sponsorship of him in graduate school. It took some time and some work, but the decision was reversed. The lawyer who handled the case is Federationist Lisa Kagan who volunteered her time. This victory must be an indication of competence on her part, yet she has been actively seeking employment for some time. Her blindness is a disadvantage to her in finding employment, but not winning cases.

This is one more answer to the question, "Why the National Federation of the Blind" and a demonstration of the need for the Job Opportunities for the Blind program.

□ Closes Washington, D.C. office:

Telesensory Systems, Inc. (manufacturer of the Optacon and a number of other

devices to aid the blind) announces that it closed its Washington, D.C. office effective January 22, 1982. TSI says: "This decision is a consequence of the drastic changes which have occurred in government policies and budgets in the social service area over the past year."

□ Cultural Exchange and International Program Committee:

Everyone is festively invited to celebrate the 1982 Fourth of July by attending the CEIP Wine and Cheese Tasting Party. This festive fundraising adventure will be held from 3:30 p.m. until 7:30 p.m. on Sunday, July 4, 1982, at the Leamington Hotel in Minneapolis, Minnesota. Tickets are \$4.00 each and may be purchased from any CEIP Committee member or purchased at the door of the party. Purchase of a ticket will provide a person with three glasses of wine, several pieces of cheese, and several packets of crackers. If you are not interested in wine, soda pop will be provided. This will give you a chance to see who is at the convention and will give you a chance to meet new friends and have a good time. If you would like more information or to purchase a ticket, please contact Cheryl Finley, 318 - 1st Street, NE, Clarion, Iowa 50525; or phone (515) 532-3319. Come one and all and have a fun day.

□ From Karen Mayry, President, NFB of South Dakota:

The National Federation of the Blind of South Dakota State Convention will be held May 7 and 8, 1982, at the Sheraton Inn in Aberdeen, South Dakota. Room rates: \$25.00 single; \$28.00 double. Focus: Education of blind children in South Dakota and Social Security Benefits for the blind. Keynote Speaker: James H.

Omig. Registration, Lunch, and Banquet: \$10.00.

□ From Alaska:

Louise Rude, one of the leaders of our Alaska affiliate and its former President, was the subject of a recent letter from the Alaska Department of Education, Division of State Libraries and Museums to blind library users in the state. The letter said in part: "We are pleased to announce that Louise Rude, an Anchorage reader, has been selected as a consumer representative on the Collection Development Group for the National Library Service for the Blind and Physically Handicapped.

"Louise will represent Alaskans and readers in 13 other western states."

□ New Baby:

Linda Miller, President of the NFB of New Mexico, is the proud mother of a new baby. Nina Fay Melinda arrived January 31, 1982, at 9:43 a.m. She weighed six pounds, eleven ounces, and was nineteen inches long. Mother and daughter are reportedly doing well.

□ From Maxine B. Dorf, President, National Braille Association, Inc.:

Are Braille Materials Needed?

The Reader-Transcriber Registry of the National Braille Association continues to accept print materials for Brailleing. Utilizing the skills of Braillists certified through the National Library Service, the Registry will provide Braille readers with materials they need in their work, recreation or daily living. Charges are four cents per Braille page, bindings included. Send print materials (neither textbooks nor technical items, please) to:

NBA Reader-Transcriber Registry
Mrs. Lawrence M. Levine, Chairman
5300 Hamilton Avenue, No. 1404
Cincinnati, OH 45224

□ From Illinois:

On January 9, 1982, the Sangamon Valley Chapter of the National Federation of the Blind of Illinois elected new officers. Officers serve a one-year term. Elected were: Charlene Elder, President, Springfield; Stephen Britt, Vice President, Springfield; Brian Johnson, Secretary, Decatur; and Robert Pipes, Treasurer, Decatur. Gary W. Elder of Springfield, was elected to the Board of Directors.

